17.7.5

AN ABSTRACT

OF THE

CIVIL JUDICIAL REGULATIONS,

AS ENACTED AND PUBLISHED FOR

The Provinces under the Presidency of Fort William;

CONTAINING

A SYNOPSIS OF THE ACTUAL LAWS

AS IN FORCE ON THE 31ST OF DECEMBER, 1828,

WITH REFERENCES TO

THE CIRCULAR ORDERS

OF

THE SUDDER DEWANNY ADAWLUT.

BY

AUGUSTUS PRINSEP, Esq.

BENGAL CIVIL SERVICE.

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1829.

NOTICE.

THE following work purposes to be an abstract, affording a methodical view of the Civil Judicial Regulations for this Presidency, as they now exist in the month of December, 1828. Rescinded enactments being omitted, and modifications annexed to the original law, the actual code in force is here analyzed.

Each chapter of the work is intended to contain, or point to, all the laws connected with the court or matter which forms its subject; so that a Provincial or Zillah Judge, and especially the inferior judicial authorities, may find in the sections relating to them a concise manual of their respective duties. To avoid frequent repetitions, several references to other divisions of the Abstract occur in every page.

In pursuing this plan of compilation, the Regulations are necessarily much mutilated, and in Chapter 4. wherein the enactments relating to the most important questions of right have been extracted from regulations of various departments, it may often appear that many essential rules have been omitted.

The principle followed has been, to notice every thing connected with legality as the courts may try the point; but to leave all directions for the current duties of a revenue, or other officer, to a separate classification which may be made of such enactments. Thus in the section on Auction Sales for Arrears of Revenue, (Ch. 4, Sec. 6.) such rules as decide their validity, or in any way relate to the courts, are abstracted, and those which direct the conduct of Collectors in exposing the lands to sale, &c. omitted, as belonging to another authority, and therefore to another subject.

January 1, 1829.

BENGAL SECRETARIAT LIBRARY

EXPLANATIONS.

A mark thus (. .) implies a similar reference (as to Regulation and Section) to that immediately above.
A mark thus (—) implies a similar reference to that immediately preceding in the left hand column.
A column being blank opposite to a rule implies, that there is no reference for the particular province.

ABBREVIATIONS.

Gov Gen in C.—Governor General in Council.
B. of Revenue.—Board of Revenue.
S. D. A.—Sudder Dewanny Adawlut.
C. O. of S. D. A.—Circular Orders of the Sudder Dewanny Adawlut.
P. C. A.—Provincial Court of Appeal.
Z. or C. C.—Zillah or City Court.
C. C P.—Conquered and Ceded Provinces.
S. R L. A.—Superintendent and Remembrancer of Legal Affairs.
Pff.—Plaintiff.
Deft.—Defendant.
Wssrs.—Witnesses.
Appt.—Appellant.
Respt.—Respondent.

NOTICE.

Reg. I of 1829, (to be analyzed in the first Supplement,) the Boards of Revenue have been new-modelled; whenever, therefore, the Board of occurs in this work, the "Local Revenue Commissioner" should be understood.

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AN ABSTRACT

OF

THE REGULATIONS, &c.

CHAPTER I.

ZILLAH AND CITY COURTS, AND DUTIES OF JUDGES.

		Bengal, &c.			Benares.			U.C. Provs.		
		Reg.	S.	C.	Reg.	S	C.	Reg.	S.	C.
Sec. 1. Establishment. Cl 1. *In Bengal, Behar, and Orissa.*	1. *Zillah dewanny* courts established in the several *zillahs* of the provinces of Bengal, Behar, and Orissa (Cuttack excepted); and city *dewanny* courts in the cities Moorshedabad, Dacca, and Patna.	3. 93.	2							
	2. The *zillah* and city of Moorshedabad comprised under the jurisdiction of one *dewanny* court.	1. 06.	2							
	The Dutch factories at Cullapore, Patna, and Dacca, attached to the jurisdiction of the cities Moorshedabad, Patna, and Dacca.	18. 25.	2	2						
	3. A *dewanny* court established in the *zillah* of Hooghly.	36. 95.	7							
	The settlement of Chinsura attached to the district of Hooghly.	18. 25.	2	1						
	4. A *dewanny* court established in the *zillah* of the 24-Pergunnahs.	7. 06.	2							
	The Dutch factory at Fulta attached to the district of the 24-Pergunnahs. ..	18. 25.	2	2						
	5. A *dewanny* court established in the suburbs of Calcutta.	14. 14.	2							
	6. ——— also in the *zillah* of Cuttack.	14. 05.	2							
	The Dutch factory at Balasore attached to *zillah* Cuttack.	18. 25.	2	2						
	7. A *dewanny* court established in the *zillah* of Backergunge.	7. 97.	2							
	8. A Magistrate being appointed to the *zillah* of Jungle Muhals, it is declared competent for the Gov. Gen. in C. at any time to constitute a civil, together with the criminal court of that *zillah* by an order of Government, (a measure since adopted.)	18. 05.	10							
Cl. 2. *In Benares.*	1. *Zillah dewanny* courts established in the several *zillahs* of the province of Benares, and a city court in the city of Benares.				7. 95.	2				
Cl. 3. *In the provinces of Oude.*	1. *Zillah dewanny* courts established in the several *zillahs* of the provinces ceded by the Nuwab of Oude.							2. 03.	2	
	2. In the *zillah* of Futtehpore.							6. 26.	2	
Cl. 4. *In the Doab, Bundlecound, &c.*	1. *Zillah dewanny* courts established in the several districts of the territories conquered and ceded in the Doab, Bundlecund, and on the right bank of the Jumna.							8. 05.	5	
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	The *jageer* of the Killadar of Kallenjir annexed to *zillah* Bundlecund. ..							22. 12.	3	
	2. *Zillah dewanny* courts established in the northern division of Seharunpore, and the district of Meerut (amending the former division.)							4. 18.	2	1 tended generally to Cuttack by 14. 1805, 11.
	The territory called Deyra Doon annexed to *zillah* Seharunpore.							4. 17.	2	2

Judicial regulations ex-

	Chap. 1. Zillah and City Courts.	Bengal, &c. Reg.	S.	C.	Benares. Reg.	S.	C.	C. of Fort. Reg.	S.	C.	
Sec. 2. Constitution of Zillah and City Courts. Cl. 1. *Sittings of court, &c.*	1. Each court to be superintended by one Judge, who on entering upon his duties will take an oath before the Gov. Gen. in C. or such person as he may appoint for the purpose. *(For form of oath, see Reg.)*	3.93.	3		7.95.	3		2*.03.	13		* This Reg. extended to the Doab, &c. by 8 1805, 6 1. N B Local exceptions will be always noticed in the text
	2. Court to be held in a public room, three times a week or oftener, except on holidays. Any infringement of this rule to be reported to the S. D. A. *(a)*—No orders to be passed except in open court, and on court days.		5			5			14		
	Exception.—Summary investigations may be held by Judges and Registers in any place of their own, and that jurisdiction wherein the cause of action has arisen. *(See Ch. 5, s. 6.)*	2.21.	10	2	—	—	—	—	—	—	
	3. One day or more in the week to be appropriated to the trial of suits for Government revenue, advances, rents, and other miscellaneous business. ..	3.94.	22		5.00.	13					
	4 The first day in each week to be dedicated to the trial of suits under Reg. 2. 1819, and 9. 1825.	3.28.	10	5							
Cl. 2. *Court seal.*	1. The seal of the court to remain under charge of the Judge. *(For form of seal, see Reg.)*	3.93.	6		7.95.	6		2.03.	14		
Cl. 3. *Holidays.*	1. Z. and C. C. to be adjourned for thirty days during the Hindoo festival of the *Dussura*, and for fifteen days during the Mahomedan festival of the *Mohurrum. (b)*	3.98.	2		—			8.05.	13		
	2. On collection of business or otherwise, such holidays may be dispensed with by the S. D. A.	1.06.	10		—	—		—	—		
	3. Courts to be adjourned on all native holidays. *(c)*	3.93.	5		..	5		2.03.	14		
Cl. 4. *Absence of Judges.*	1. Any Z. or C. Judge desirous of quitting his station, to apply to the Gov. Gen. in C.; and unless in emergent cases of indisposition, not to leave his station without permission. Applications for permission to specify the purpose and the period for which leave of absence is required, and the name of the Register or senior Assistant on whom the charge would devolve. *(d)* ..	4.96	2								* Sec. 15 of 12 1803, only contains the rules on the death of Judges, not for applications for leave of absence.
	2. The Gov. Gen. in C. will make what disposition he may think proper, to supply the place of the Judge obtaining leave. Notice of the arrangement to be given to the Judge, to the person appointed to relieve him, to the P. C. A. of the division, and to the S. D. A.		3								
	3. Judges obtaining leave of absence to report their actual departure to the Gov. Gen. in C., to the S. D A., and to the P. C. A. of the division. *(e)*		4			—					
	(For rules upon the sudden death of Judges, see Ch. 8, s. 1, cl. 2.)										
Sec. 3. Jurisdiction of Courts. Cl 1. *Local limits.*	1. The jurisdiction of each *zillah* court to extend throughout each respective district, but that of the *zillah* court of Dacca Jelalpoor and Behar Proper not to extend to the cities of Dacca and Patna, these having separate *dewanny* courts. ..	3.93.	4		7*.95.			3.03.	3		* Sections 2, 3, and 4 of the Benares regulation specify the local jurisdiction of each court in the province.
	Exceptions.—1. The city of Delhi, and the lands of which the revenues are assigned to the throne of Delhi, are not subject to the laws or regulations of the British Government.							8.05.	4		
	2. In the *elakeh* of Khandah (*zillah* Bundlecund) the civil court not to assume jurisdiction, until officially informed by Government that the first settlement of revenue has been completed.							2.18.	3	1	
	3. The hill *mahals* belonging to Cuttack, (of which a list is given in S. 36. of Reg XII 1805,) are exempt from the application of the general regulations. *(See Ch. 11, s. 1, cl. 1.)*							14.05.	11		
	4. Certain territories within the ancient limits of Bundlecund exempted from the operation of the general regulations.							12.12.	2		
	5. The *Thanas* of Gwalpara, Dhoobree, and Kurreebaree, in *zillah* Rungpore, separated from the operation of the general regulations. *(See Ch. 11, s. 3.)* ..	10.22.	2								
	2. Civil complaints to be received in the court of that jurisdiction wherein the property, if real or landed, is situated, or where the cause of action has arisen, or the defendant has fixed his residence.	3.93.	8		7.95	7		2.03.	5		
	Exception. Suits respecting the revenue of, or tenures in, the private lands of the Raja of Benares, to be referred to the Raja for decision. Complainants, if unattended to by the Raja, to be sent to the Collector. *(See Ch. 11, s. 15.)*.				15.95.	3			12		
	3. No suit to be admitted relating to any fixed property within the town of Calcutta.										

(a) Attention called to this rule; and such reports, at the expiration of the week in which the infringement may have occurred, enjoined, by C. O. of S. D. A. July 19, 1810.

(b) In the C. O. of S D A. these holidays are defined, as to their commencement and duration, by letter May 31st 1803, and further explained as not superseded, Sep. 4, 1816

(c) These holidays explained, and a list circulated in the C. O. of S. D. A April 6, 1816.

(d) The C. O. of S. D. A. January 4, 1811, direct that such applications of leave shall be accompanied by a statement of the business pending in court

(e) By the C. O. of S D A. of October 31st, 1809, Judges are desired to furnish the Civil Auditor with a certificate of the date on which they may have given over or resumed charge on such occasions. By orders of Government, January 9, 1806, the S. D. A. is directed to report to the Gov. Gen. in C. any delay incurred by Judges in joining stations to which they are appointed, and the C. O. of S. D. A January 17, 1806, direct Z. and C. Judges to make similar reports concerning their Registers.

Chap. 1. Zillah and city Courts.

		Bengal, &c.			Benares.			C. C. Provs.			
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.	
Sec. 3. Cl. 2 *Persons amenable.*	1. All persons, not British subjects, are amenable to the civil courts in *zillahs* and cities.	3.93.	7		7.95.	7		2.03.	1		
	Exception. 1. All suits in which both parties are dependants of the Nazim of Bengal, to be referred to His Excellency. Suits against his servants by persons not his dependants, to be so referred or tried at the discretion of the Judge. (*See Ch.* 3, *s.* 5, *cl.* 2.)	16.93.	10								
	2. The Nuwab of Furruckabad not amenable to the civil court. Suits against his dependants to be referred to him, but if unattended to, or his decision be unsatisfactory to the Pff., they are admissible in the civil court. ..							..	8		
	2. Europeans, not being British subjects, amenable to civil courts without being required to execute any bonds as prescribed for British subjects.	28.93.	8		21.95.	2		18*.03.	6		* To the Doab and extended by 8. 1805, 17.
	3. Any persons attached to the army, the servants of officers or persons attached to cantonment *bazars*, not liable to action for debt or personal actions in amount less than 200 Rs. in the local civil courts; such to be tried by military courts of request. (*See Ch.* 3, *s.* 4, *cl.* 6.) (*f*)	20.10.	22		—	—		—	—		
Cl. 3. *British subjects.*	1. Every British subject, except a covenanted civil servant, military servant, or officer of the King's army, residing beyond 10 miles from Calcutta, amenable to the civil courts, at the suit of natives or others, for claims not exceeding 500 Rs. (*g*) ..	3.93.	9		7.95.	7		2.03.	6		
	2. Such persons to execute a bond making themselves so amenable, previous to obtaining a license of residence.	28.93.	2		24.95.	2		18.03.	2		
	Form of such bond prescribed.		3			..			3		
	3. This bond to be executed before the Judge, and deposited among the records of the court.		4			..			4		
	4. A new bond to be executed by such persons on their removal to another jurisdiction: if any such person do not attend at the Judge's court for this purpose within ten days after arriving in the district, he is to be summoned by a writing under the seal of the court attested by the Register.		5			..			5		
	5. On refusing to attend or to execute the bond prescribed, such person to be required by the Judge to repair to Calcutta within one month; on non-compliance to be sent under charge of the court's officers.		6			..			6		
	6. Any person not entirely amenable to civil courts, may institute suits in such courts against persons amenable to them, on executing a bond declaring himself amenable for the amount of the claim preferred.		7			..			7		
	Form of such bond prescribed.	11.97.	2		—	—			..		
	7. European officers and soldiers being British subjects, are amenable at suits for sums above 400 Rs. to the local civil courts.	20.25.	4	3	—	—		—	—		
Cl. 4. *Officers of Government generally.*	1. Collectors of revenue and customs, Commercial Residents, Salt Agents, Mint and Assay Masters, and their respective officers, amenable to the civil courts of their districts for any official acts in opposition to the regulations.	3.93.	10		7.95.	7		2.03.	7		
	2. Commercial Residents and their officers amenable to the civil courts, in suits instituted by persons in their employ for any act of compulsion, oppression, or contradiction to the regulations; such suits not to be received unless the Resident shall have refused to give the complainant redress, in which case the Pff. must sue the Resident, whether the act be his own or that of his officers. (*See Ch.* 3, *s.* 1.)	31.93.	16		4.05.	2		37*.03.	16		* To the Doab, &c. by 8. 1805, 25.
	3. Commercial Residents and their officers amenable, for applying any rules or authority contained in Reg. XXXI. 1793, or XXXVII. 1803, to persons not employed in the Company's investments.		10	10		..			10	10	
	4. Opium Agents and their native officers amenable, under provisions similar to the above.	13.16.	18		—	—		—	—		
	5. Salt Agents and their officers amenable under similar provisions; but not for acts of such judicial authority (fine, confiscation, &c.) as are specified in Reg. X. 1819, (*See Ch.* 3, *s.* 2.)	10.19.	13 21	{1 {2 9	—			—			
	6. Collectors of customs amenable to civil courts.	9.10.	40		—			—	—		
	7. Officers in charge of the collection of town duties, amenable at the suit of persons deeming themselves aggrieved by orders passed on complaints against extortion, &c. preferred to such officers. .. .. (*See Ch.* 11, *s.* 7, *cl.* 1; *also Ch.* 3, *s.* 1, *cl.* 1.)	10.10.	23		—			—			
Cl. 5. *Collectors of revenue.*	1. Collectors of revenue amenable to the civil courts, for acts done in opposition to Reg. X. 1793, while having the management of the estates of wards, and for any breach of trust during such management.	10.93.	36		6.22.	2		52*.03	40		* To the Doab, &c. by 8. 1805, 29.
	2. Collectors may be sued by persons in confinement by their order for arrears of revenue in dispute of the demand. .. .. (*See Ch.* 3, *s.* 7.)	14.93.	12		6.95.	35		27.03.	32		

(*f*) The orders of Government communicated by C. O. of S. D. A. March 7th, 1823, explain that such persons are amenable to suits in the local courts, for an amount above 200 Rs.

(*g*) The C. O. of March 9th, 1818, contain the opinion of the Advocate General, that one British subject cannot be sued by another British subject in the country courts. See Act 53 Geo. III. Ch. 155, Sec. 105, 100, and 107.

Chap. 1. Zillah and City Courts.

		Bengal, &c.			Benares.			N.C. Provs.			
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.	
Sec. 3. Cl. 5.	3. Collectors amenable at suits instituted against them by native officers, whom they have caused to be confined for withholding public money or papers. (*See Ch. 5, s. 8.*)	3.94.	20		-			33.03.	7		
	4. Collectors amenable at suits against their orders for the resumption of lands according to Reg. II. 1819.	2.19.	26	1	—	—	—	—	—	—	
	5. Collectors amenable on plaints against them for withholding any compensation for, *sayer* collections, that may have been adjudged to *zemindars*, (before the promulgation of Reg. VI. 1811, which refuses all future compensation in Bengal, Behar, and Orissa)	27.93.	12		*						* The Benares regulation on this subject, 4. 1795, does not contain this rule. R. 38. 1803, 11. 1804, 6. 1805, are all rescinded by 9. and 10. 1818. † The words of this are somewhat different from the other regulations to the same point. To Doab, &c. by 8. 1805, 17.
	6. Collectors may be sued for withholding pensions allowed by Government. ..	24.93.	17		34.95.	14		24†.03	16		
	7. Proprietors and others denying the arrears required of them by a Collector, may comply with the demand, and sue the Collector for the amount with interest. ..	3.94.	12					27.03.	16	2	
	8. Collectors amenable, in civil suits by proprietors and landholders against the invalidity of engagements by which revenue is demanded from them; but such engagements are valid until set aside by a judicial award.	14.93.	46		6.95.	51					
	9. Collectors liable to be fined for refusing obedience to any order of Court; on refusal to pay, report to be made to Government.		36		6.95.	42			39		
	10. Judicial officers having revenue authority, amenable for all such acts as are above enumerated, (judges having such power being amenable to the provincial courts, by Reg. V. 1821, 3, 2.)	4.21.	6	1	—	—	—	—	—	—	
	11. Similar rule for Assistants and others acting as Collectors. .. .. .. (*See further Ch. 4, s. 6, cl. 2.*)		8	5		—	—		—	—	
Sec. 4 Cognizance of civil Suits generally.	1. Z. and C. C. empowered to take cognizance of all suits and complaints respecting succession or right to real or personal property, land rents, revenues, debts, accounts, contracts, partnerships, marriage, caste, claims to damages for injuries, and generally of all suits of a civil nature.	3.93.	8		7.95.	7		2.03.	5		
	2. Any disputes regarding the rates of *puttahs* to be determined in the civil court, (*See Ch. 4, s. 7.*)	4.94.	6		51.95.	4		30‡.03	9		‡ To the Doab, &c. by 8. 1805, 20.
	3. Persons deeming themselves aggrieved by any acts of the B. of R or Supervisor of tolls in breach of Reg. VIII. 1814, at liberty to sue in the civil court: if the Supervisor or other officer has tendered compensation for the injury, such suitors to be nonsuited with costs.	8.24.	14		—	—		—	—		
	4. All persons, who may deem themselves entitled to estates entered in the quinquennial register in the name of others, at liberty to sue for the same in the civil court.	48.93.	30		19.95.	28		42‖.03.	44		‖ Do. do. by 8. 1805, 27.
	5. All differences with regard to the tenures of invalids, to be settled in the civil court.	1.04.	9	17	—						
	6. Persons having convicted native officers of customs of extortion before the magistrate, at liberty to sue for damages in the civil court:—(similar rule with regard to other persons not officers of customs; *s.* 39.)	9.10.	38		—			—			
	7. Similar rule for the native officers of Collectors of town duties.	10.10.	24		—			—			
Sec. 5. Cognizance of Criminal and Penal matters. Cl 1. *General rule.*	8. Courts of judicature not to take cognizance of complaints against Collectors by *putwarees* for acts done according to Reg. XII. 1817*.	12.17.	34		—	—		—			
	9. Civil courts to take no cognizance of complaints against the validity of sales by the Raja of Benares under R. VII. 1828, or claims regarding the Raja's family lands.	7.28.	13								
	Civil courts not to interfere in any matters cognizable by a magistrate. ..	3.93.	18		7.95.	11		2.03.	11		
Cl. 2. *Perjury.*	1. Wsses. or others guilty of perjury in any investigation by the court, to be committed, for trial by the court of circuit, by the Judge.	4.93.	14		8.95.	2		3§.03.	8		§ To the Doab, &c. by 8. 1805, 7, 1.
	2. Persons attending or required to attend civil courts as pffs. wsses, or defts. not amenable in prosecutions for perjury or subornation of perjury before the Magistrate, unless committed to him for trial by the Judge. ..	3.01.	2		—	—		7.13.	3		
	3. These rules relate to all civil investigations, in the course of which perjury may be committed; if it occur before an inferior court or officer, the person to be forwarded, with a record of the proceedings, to the Z. or C. Judge; on conviction before the Z. or C. J. by whom he may be committed to prison or held to bail, the accused to be sent to the Magistrate, with a copy of the proceedings, that he may be brought before the court of circuit. (*h*) ..	17.17.	14	2	—	—		—	—		
	4. Persons guilty of perjury or subornation of perjury, and committed for trial to the court of circuit, shall be admitted to bail only by the court so committing him. (*i*)	2.07.	5		—	—		—	—		
Cl. 3. *Resistance of Court's process.*	1. On proof of resistance to any process of the court, the person having so resisted to be summoned; if he do not attend or has absconded, to be proclaimed; if still absent beyond the period of the proclamation, or if, attending, the crime be prov-										

* See Sec. 3, of this chapter, also chapter 4, *passim*. Those references only are specified here which are unaccompanied by rules that would require to be noticed in some other division of the Abstract.

(*h*) The C. O. of S. D. A. March 19, 1817, explain that Registers are competent to commit persons for perjury to courts of circuit, in cases tried by them under the powers of Regulation XXIV. 1814.

(*i*) This provision applying both to civil and criminal courts relates to forgery as well as perjury; but as the original rule in Reg. III. 1793, 16, has neither been rescinded nor qualified with any direct instructions as to forgery, that part of the section can only be held applicable to criminal courts.

Chap. 1. Zillah and City Courts.

		Bengal &c.			Benares.			C.C. Provs.			
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S	C.	
Sec. 5. Cl. 3.	ed against him, the court to decree his *zemindaree*, or any lands belonging to him in the jurisdiction of the court whose process was resisted, forfeited to Government. Such decrees always appealable to the P. C. A. and specially to the S. D. A. when the annual produce of the estate exceeds 1000 Sa. Rs.* If not appealed within the prescribed time, the order of the forfeiture to be reported to the Gov. Gen. in C. who may commute the sentence to a fine, the amount to be levied as a decree: if the order be confirmed the lands to be sequestered by a precept to the Collector.(*k*)	4.93.	22		8.95.	2		3.03.	23	1	* See note (*l*).
	Such decrees of forfeiture not final, until confirmed by the Gov. Gen. in C. ..	9.99.	3		—	—					
	2. These rules and powers extended to C. C. in Bengal, Behar, Orissa, and Benares.		2			—					
	3. Z. or C. Judges competent to impose a discretionary fine, in lieu of such forfeiture.		3			—					2
	4. If the Gov. Gen. in C. confirm the forfeiture, he may confer the lands forfeited on the heirs of the offenders, on their agreeing to perform all engagements for those lands, both to Government and to other claimants.	4.93.	23		8.95.	6	2		24		
	5. If the offender be a farmer, holding lands from Government, he is liable either to fine or to the cancelment of his lease after the expiration of that year in which the offence was committed; under similar rules for process, appeal, &c. ..		24			8			25	{1 2	
	6. If the offender be neither a landholder nor farmer, he is liable to fine, to be levied as a decree under similar rules for process, appeals, &c. the power for special appeal depending on the amount of fine.		25			..			26		
Cl. 4. *Resistance to the process of a Collector.*	1. If any landholder resist, or evade the process of a Collector, a representation to be made to the court through the Government *vakeel*, two witnesses deposing to the fact on oath, on which a proclamation to be fixed up in the estate of the deft., the *cutcherree* of the Collector, and in the court-room, requiring the attendance of deft., within four weeks and one day after the date of the proclamation. ..	14.93.	15		6.95.	22		27.03.	22		
	2. Resistance of process being proved against deft., (non-appearance according to proclamation to be taken as proof of the fact,) the court to decree his estate forfeited to Government; copy of such decree to be forwarded to Government by the court in which a final order of forfeiture is passed: the Gov. Gen. in C. may commute such forfeiture to a fine.		16			23			23		
	3. The same rules applicable to a farmer of Government resisting or evading the process of the Collector, the cancelment of his lease being the penalty instead of forfeiture.		19			26			26		
	4. Similar rules with regard to sureties, a discretionary fine being the penalty, liable to alleviation by the Gov. Gen. in C.		21			28			28		
	5. Decisions in such cases are appealable, first to the P. C. A. and specially to the S. D. A., the Collector to state the annual produce of the estate, and unless it exceed 5000 Sa. Rs. or the fine imposed exceed 5000 Sa. Rs., the case is appealable no further than to the P. C. A. (*l*)	{5.98. 7.99.	2 24		— —	— —	}	27.03.	23		
	6. If the deft. being present, denies the estimate of produce made by the Collector, the court to investigate the fact and to pass equitable orders thereon. ..	14.93.	15		6.95.	22					
	7. Similar rules apply to resistance against an officer deputed by the Collector to make an attachment.	45.93.	9								
	8. Also to resistance against *tehsildars* and officers serving the process prescribed in Reg. VII. 1799, 23, 2.	7.99.	24		—	—					
	9. Persons resisting process of the Collector, served according to Reg. II. 1819, liable to a fine proportionate to the offence, to be levied as an arrear of revenue and imposed by the Collector.	2.19.	14		—	—		—	—		
	Or to the penalties above enumerated, before the civil court.		19	3		—	—		—	—	
	10. Collectors making investigations under Reg. VII. 1822, competent to sentence persons resisting their process to a fine not exceeding 200 Rs. or to imprisonment in the civil jail for two months.	9.25.	2		—	—		7.22.	24	2	
Cl. 5. *Resistance to the process of salt agent.*	Persons resisting any process duly issued by a Salt Agent under the authority of Reg. X. 1819, liable to the penalties contained in Reg. XIV. 1793, (under the above forms and rules.)	10.19.	107		—	—		—	—		
Cl. 6. *Contempt of courts.*	1. Persons guilty of contempt of court, or of undue arrogation of authority, liable to fine, according to the circumstances of the offender, but not exceeding 200 Rs. ..	4.93.	21		8.95.	2		3.03.	22		
	2. Such fine commutable to imprisonment in the civil jail for not exceeding two months.	12.25.	6	1	—	—		—	—		
Cl. 7. *Officers guilty of corruption.*	1. Ministerial officers of the civil courts amenable to their own courts on charges of corruption or extortion.	13.93.	9	1	12.95.	2		12†.03.	12		† To the Doab, &c. by 8. 1805, 15.
	2. Native law officers similarly amenable to their own courts. (*See Ch. 6, s. 5, cl. 2.*) ..	12.93.	8	1	11.95.	2		11‡.03.	8		‡ Do. do. do.
	3. Any native officer of civil courts charged with embezzlement in his official capacity, to be summarily tried by such court. (*m*) .. .. (*For rules and forms, see Ch. 5, s. 11.*)	18.17.	7	2	—	—		—	—		
	4. Native officers of Commercial Residents to be tried in the civil court for extortion, embezzlement, or fraud in office: on conviction to forfeit double the amount embezzled, and liable also to twelve months' imprisonment.	31.93.	13		4.05.	2		37‖.03.	13		‖ To the Doab by 8. 1805. 25.

(*k*) The C. O. of S. D. A. May 29th, 1816, direct that cases of resistance of process should always be conducted summarily, and the appeals be considered summary,—fees and stamp duty being levied as prescribed for summary cases; Registers are declared competent to proceed in such inquiries.

(*l*) The rules contained in V. 1798, are directly made applicable to resistance of Collectors' process by VII. 1799, 24, but do not appear to have been applied to process of courts. The rules in Reg. III. 1803, Sec. 23, prescribe 1000 Rs. as the limit for special appeals, and this enactment is of posterior date.

(*m*) See C. O. of S. D. A. Oct. 2, 1817, communicating orders of Government enjoining strict supervision of native officers, and holding Judges responsible for their misconduct. The date of this general order, and of enacting the above regulation is the same, viz. Sep 16, 1817.

Chap. 1. Zillah and City Courts.	Bengal, &c. Reg.	S.	C.	Benares. Reg.	S.	C.	C.C. Provs. Reg.	S.	C.
Sec. 5. Cl. 7. 5. Charges against native officers in the salt department, to be tried by Z. Judges (or Magistrates.)	10. 19.	96		—	--				
6. *Moonsiffs* amenable to the civil court on charges of corruption or extortion. (*See Ch.* 10, *s.* 1, *cl.* 3.)	23. 14.	10	1						
7. *Sudder Aumeens* similarly amenable (*See. Ch.* 9, *s.* 3, 2.)		67			—		—	—	
Cl. 8. *Sayer exactions.* Judges to receive all complaints for the exaction of *sayer* duties, and, if possible, to determine the same within ten days, or as soon as the evidence is procured; on proof, to decree the amount to be refunded, with damages to the pff. equal to the amount and costs of suit, as well as a fine to Government: if the property of the offender be insufficient to make good the amount, the court may commute the fine to adequate imprisonment.	27. 93.	11		4. 95.	{4 8 9		11. 01*.	53	
In Benares such exactions to incur a fine equal to three times the amount exacted; in the C. C. P. equal to twice the amount.					4				
The whole of such fine to be paid to the party from whom the exactions were made.					8				
Cl 9. *Cases regarding contraband salt.* 1. Salt Agents and Superintendents of *chokees* competent to investigate charges and suits, relating to the manufacture or sale of illicit salt, &c.	10. 19.	109		—	—		—	—	
2. But if the quantity of salt confiscated exceed 20 mds. or if the Salt Agent deem the offender liable to a fine exceeding 50 Rs the Salt Agent to send him to the Judge, who may admit him to bail or otherwise, pending his award: the Salt Agent may specify in his *roobukaree* the amount of fine or term of imprisonment, that he may think proportionate to the offence.		112			—			—	
3. The Judge, bringing the case to a hearing on the first court day, may either enforce the order recommended by the Salt Agent, modify it, reverse it, or institute a new inquiry as he may think fit.		113			—			—	
4. If a Salt Agent has acquitted any officer in the salt department, from charges brought against him, the B. of Trade may, within three months after such order of acquittal, desire the proceedings to be transmitted to the Z. or C. Judge who will investigate and decide the case.		120							
5. Petitions and other papers in such cases not required to be on stampt paper, whether filed in court or before the Salt Agent.		98							
6. Sentence being passed by the Judge in such cases, fines to be levied as a decree, and the deft. to be committed to jail in pursuance thereto. The Judge to forward to the Salt Agent copy of his order without delay. In case of appeal from such decision, execution to be staid on the deft.'s producing sufficient security for performance of the final award, and the Judge to instruct the Salt Agent to keep the salt in deposit pending such appeal. The P. C. A. has equal authority to order the suspension of the sentence on institution of an appeal.		115			—			—	
7. All fines levied by the court to be immediately remitted to the Salt Agent.		118			—			—	
8. On acquittal before the Judge, defts. to be released, and attachment to be withdrawn; but if the quantity of salt exceed 200 mds. and any party appeal or propose to appeal, attachment not to be withdrawn if such appeal be instituted within one month.		116			—			—	
9. If the salt in question do not exceed 200 mds., or the fine adjudged do not exceed 500 Rs., no appeal to lie from the Z. or C. Judge's decision; otherwise, an appeal to lie to the P. C. A.; the petition of appeal to be preferred within six weeks after date of the sentence.		114			—			—	
10. Periods of imprisonment in commutation of fines and penalties;									
For a fine or penalty not exceeding 50 Rs., a period not less than 15 days, or more than 1 month.									
100 Rs. ..... 1 month ..... 2 months.									
500 Rs. ..... 2 months ..... 4 months.									
Exceeding 500 Rs. ..... 4 months ..... 6 months.		110							
N.B For particular penalties, see the following sections of the Regulation: —*Sections* 30, 31, 32, 33, 34, 36, (*cl.* 1,) 38, 40, 41, 42, 43, 45, (*cl.* 1,) 46, (*cl.* 1, 2, 3, 4,) 47, 48, 49, 50, 51, 52, 53, 54, 55, 67, 68, 69, 70, 75, 77, 86. *These are not analyzed here as belonging more to the commercial department. See also Mr. Smyth's Abridgment of the Penal Regulations, pp.* 55, 56; *but the abstract there given does not detail all the penalties. (For other rules regarding salt cases, see Ch* 2, *s.* 1, *cl.* 2, 23; *Ch.* 11, *s.* 12, *and s.* 12, 2. *of this chapter.)*									
Cl. 10. *Private servants guilty of extortion.* Any native dependant or servant of a Judge, not being an officer of the court, found guilty of taking or extorting money or other consideration on account of suits pending or decided, to be punished for contempt of court by a fine equal to three times the amount received or extorted, or by imprisonment or corporal punishment, at the discretion of the court and to be discharged. Copy of the final decision to be transmitted to the Gov. Gen. in C. who may declare such person incapacitated for further employment.	13. 93.	11		12. 95.	2		12*. 03.	14	

* To Cuttack by 12. 1805, 31. N. B. Reg. 11. 1804, is rescinded by 9. 1810, 2. It is noticed here as the only regulation in the C. C. P. for suits regarding *sayer* exactions 1—6. 1805, is also rescinded by 10. 1810, 1.

* To the Doab, &c. by 8. 1805, 15.

Chap. 1. Zillah and City Courts.

	Bengal, &c.			Benares.			C.C Provs.			
	Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.	
Sec 6. Amount of claims cognizable in Z. or C. C. Cl. 1. *Admission and cognizance.*										
1. Original suits to the value of 5000 Rs. cognizable in the Z. and C. civil courts*. ..	24. 14.	6	1	—	—		—	—		* Sec. 2, of Reg. 13. 1806, limits the cognizance of Z. and C. C. in regard to *lakheraj* lands to suits for such lands as yield no more than 500 Rs. annual produce; but the Reg. in the text which prescribes 5000 Rs. as the general limit without qualification, becomes the law by 41. 1793,20, as being the later enactment. Reg. 2. 1819, S. 25, (No. 3 in the text) seems to confirm the former provision, but it must be confined to suits in appeal from the decisions of Collectors. † Confirmed by 16. 1824, 5. ‡ Confirmed by 16. 1824,23. ‖ Do. do. § Do. do. ¶ This is not verbally prescribed in the section, but implied.
And to be first instituted in those courts.	25. 14.	3	1	—	—		—	—		
2. In suits not exceeding 10,000 Rs. in value, pffs. to have the option of instituting their claim, either in the Z. or C. C. or in the P. C. of the division.	19. 17.	2	2	—	—		—	—		
Such suits, after institution, transferrible to the P. C. by the orders of the S. D. A., on the petition of the pff., forwarded through the P. C. (*See Ch.* 13, *s.* 13, 2.)		3	2							
3. Lands being resumed under Reg. II. 1819, parties may institute civil suits in appeal from the orders of the Collector and the B. of R.: suits of this kind only cognizable in Z. and C. C. when the annual produce of such lands does not exceed 500 Rs. (after deducting five per cent. for charges of management and $\frac{1}{10}$ for *malikanah*.)	2. 19.	25		—	—		—	—		
4. If the deft. in his answer deny the correctness of valuation set on the suit by the pff., the court to investigate the point and pass orders accordingly; such orders being open to a summary appeal to the P. C. A. within one month. (*See Ch.* 12, *s.* 3, 11.)	13. 08.	4	1	—	—		—	—		
Such summary appeal may be preferred by petition either in the Z. or C. C. or direct to the P. C. A.: if in the former, all proceedings to be staid, until the final decision of the superior court, and the papers of the case to be forwarded to that court forthwith. (*See Ch.* 12, *s.* 3, 11.)	{ .. / 19.17	.. / 4	2	—	—		—	—		
5. The S. D. A. competent to order the removal of any original suit above 1000 Rs. in value, and pending in a Z. or C. C. to the P. C. for trial. (*See Ch.* 12, *s.* 3.)	25. 14.	3	1	—	—		—	—		
Cl. 2. *Valuation of claims.*										
1. In suits for land paying revenue to Government, the value of the claim in the C. C. P. (including Cuttack) shall be assumed at the annual *jumma* payable to Government in Bengal, Behar, Orissa, and Benares, at three times the annual *jumma* payable to Government (*n*).	1†.14.	14	1							
2. The above provision applying to entire estates or specific portions of such, in suits for permanent possession or right of property in *malguzaree* lands, not constituting entire estates or specific portions of such distinctly assessed, the value of the claim to be computed at its annual rent produce: if the suit be only for a limited interest in such lands, the nearest estimate to be taken of the actual value of the thing claimed.	19‡.17.	5		—	—		—	—		
3. In suits for *lakheraj* land, (paying no revenue to Government,) the value of the claim to be assumed throughout the country at eighteen times the annual produce. ..	1‖. 14.	14	2	—	—		—	—		
4. By annual produce (*o*) is meant the aggregate sums paid by under proprietors or tenants, for the year in which the claim may be preferred.	4. 93.	3		8. 95.	2		3. 03.	3		
5. Suits for any other property, for damages, &c. to be valued at the nearest estimate that can be taken of the amount to which the pff. is endamaged.	{ 19.17. / 1.14.	5 / 14	§ / 3							
Sec. 7. Cognizance of appeals from inferior courts. Cl. 1. *Regular appeals.*										
1. Z. or C. Judges competent to receive, try, and determine regular appeals from all decisions of *moonsiffs*, *sudder aumeens* and Registers; with the exception of suits tried by Registers under Sec. 9, of Reg. XXIV. 1814, being above 500 Rs. in value or amount, appeals in such cases lying to the P. C. A.	24. 14.	6	2	—	—		—	—		
2. Petitions of appeal from decisions of Registers to be presented within a month from the date of decision, excluding the period from the date of the party's furnishing the stampt paper to the date of delivering or tendering copy of the decree (*p*).	{ 2.05. / 26.14.	8 / 8	10 / 11	—	—		—	—		
3. Appeals from *sudder aumeens* and *moonsiffs*, to be made within thirty days after tendering copy of decree to the party. (*See Ch.* 9, *s.* 6, *& Ch.* 10, *s.* 3.) ..	28. 14.	46 / 73	1	—	—		—	—		
4. Appeals from *sudder aumeens* and *moonsiffs* being admitted, the original decision only to be reversed on the merits of the case, and not for irregularity in the proceedings.	23. 14.	46 / 73	4	—	—		—	—		
But if the pff.'s claim has been dismissed on default, the case may be referred back to the *moonsiffs* for further investigation (*q*).		27	2	—	—		—	—		
(*See the general rules for regular appeal in Ch.* 12, *s.* 9.)										
5. Appeals from *sudder aumeens* in suits above 500 Rs. to be tried by the Z. or C. Judge alone: special appeals not to be admitted unless the P. C. A. see good reason.	4. 27.	2	5	—	—		—	—		
Cl. 2. *Special appeals.*										
1. Z. and C. Judges competent to receive special appeals from the decisions of Registers and *sudder aumeens*, in cases of appeal referred to them for trial. ..	24. 14.	6	3	—	—		—	—		
With the exception of cases tried by Registers under Sec. 8. of Reg. IX. 1819¶.	9. 19.	8	3	—	—		—	—		
2. Suits specially appealed may be referred back for revision and further judgment, either to the original or to the last court that tried the case.	19. 17.	7	2	—	—		—	—		
3. Should it appear to the Z. or C. Judge, that any suit admissible to no higher appeal from his decision, involves some important question, he may recommend the admission of a special appeal to the P. C. A.	9. 19.	3	1	—	—		—	—		
(*For general rule in special appeals; see Ch.* 12, *s.* 11.)										

(*n*) By the C. O of S. D. A. Sept 29, 1820, it is explained, that the *sudder jumma* alone, distinct from mesne profits, is to be the standard of valuation; also, that in decrees for proprietary right, an order may be given for the mesne profits, without regard to the amount, whenever there is no doubt concerning them; but if doubts exist, a separate suit will be necessary: this regards both *malguzaree* and *lakheraj* lands.

(*o*) *Annual produce* is here a clear misnomer; annual *rent* produce is substituted in XIX. 1817, 5, (No. 2 above); annual *neat* produce is defined in XXVII. 1803. 37. 1.

(*p*) This rule is abstracted according to the C. O. of S. D. A. Aug 7. 1817: in the cases of paupers, the period must be reckoned from the date of tendering the copy. Sec. 8. of R. II. 1805, does not appear to be extended to the *sillah* courts in the Doab, &c.

(*q*) This section is not extended to *sudder aumeens* by Sec. 73. of the Regulation.

Chap. 1. Zillah and City Courts.	Bengal, &c. Reg.	S.	C.	Benares. Reg.	S.	C.	C.C. Provs. Reg.	S.	C.
Sec. 7. Cl. 3. *Summary and other appeals.*									
1. Z. or C. Judges competent to admit summary appeals from decisions of Registers and *sudder aumeens*, in suits dismissed by them on grounds of informality or default (*r*).—(*See Ch.* 12, *s.* 12, *cl.* 2.)	26. 14.	3	4	—	—		—	—	
2. An appeal is open to the Z. or. C. Judge from the orders of Registers or *sudder aumeens*, in executing decrees of *sudder aumeens* or *moonsiffs* referred to them for enforcement.	2. 21.	7	2	—	—		—	—	
(*For further general rules concerning summary appeals, see Ch.* 12, *s.* 12.)									
Cl. 4. *Appeals from Collectors.*									
1. Decisions passed by Collectors, on claims concerning *lakheraj* lands directly preferred to them according to Reg. II. 1819, 30, open to appeals to the Z. or C. Judge, within three months after date of the decision, or delay beyond to be satisfactorily accounted for: petitions of appeal in such cases to be written on paper of 1 Rupee stamp.	2. 19.	30	7	—	—		—	—	
2. Such a petition being admitted, the proceedings of the Collector to be called for, and the case tried as an original suit. (*See Ch.* 11, *s.* 9, *cl.* 2.)			8						
3. All parties dissatisfied with the decisions of the revenue authorities under the provisions of R. VII. 1822, at liberty to institute a regular suit in the proper civil court: such regular suits to be in the nature of appeals from summary awards, Collectors not being parties. .. .. (*See Ch.* 11, *s.* 10, *cl.* 8.)	9*. 25.	2	.	—			7. 22.	29 23	6 2
Sec. 8. Revision of Decisions. Cl. 1. *Plea for revision.* Any person feeling himself aggrieved by decrees either in original or appealed suits, (which latter may be unappealed to a higher court,) at liberty to petition the court wherein the case was decided for a revision of its own proceedings; and if any new matters or evidence, not adduced on the trial, be brought forward, the Judge may forward to the S. D. A. a report that a revision is necessary to the ends of justice: such petition to be presented within three months after delivery or tender of the decree (*s*): such petition to be on paper of 8 As. stamp, and may be admitted after the above period, on sufficient reason for delay being shown.	26. 14.	4	2	—	—		—	—	
Cl. 2. *Forms and rules of petitioning.* Such petition for a review shall not be received by any other Judge than he who passed the decree, if such Judge, being still attached to the court is not prevented by an absence which will extend to six months beyond the date of the decree, from passing orders on the petition himself, or unless the decision was in a case of appeal not further appealable.	2. 25.	3		—	—		—	—	
This rule specially repealed with regard to petitions for review of decisions on *lakheraj* tenures, passed before the 14th July 1825. (*See Ch.* 4, *s.* 5, *cl.* 9.)	14. 25.	5		—	—		—	—	
Cl. 3. *Stamp duty.* 1. Such petition for review, if presented within three months after delivery or tender (*t*) of the decree, to be on paper of 8 As. stamp; if after that period, on stampt paper of a value according to the amount adjudged against the party petitioning. (*See Ch.* 2, *s.* 2, *cl.* 1, 3.)	2. 25.	2	1	—	—		—	—	
2. The petitioner, on rejection of his petition, not to receive back the amount of stamp duty; but, when that duty may have been calculated and paid in proportion to the amount of suit, and may appear excessive, the court may, at its discretion, return (never above) 3-4ths of the same from its treasury. ..			2			—			—
3. Such petition presented within three months appearing litigious, the court may impose a fine not exceeding the amount of stamp duty that would have been paid, had the petition been presented after three months.			3			—			—
4. The petition being admitted and the review granted, the court to pass an equitable order, at its discretion, concerning the stamp duty.			4			—			—
Sec. 9. Reference of Suits. Cl. 1. *To Registers.* Z. and C. Judges may refer for trial to their Registers (*u*);									
1. Original suits to the value of 500 Rs.	24. 14	8	1	—	—		—	—	
2. Original suits exceeding this value when Registers may be invested with extra powers, specified in Sec. 9. of Reg. XXIV. 1814.		9	6	—	—		—	—	
3. Appeals from *sudder aumeens* and *moonsiffs* under similar powers. .. .. With exception of appeals from *sudder aumeens* in suits above 500 Rs. ..	4. 27.	2	4 5	—	—		—	—	
4. Appeals from the decisions of former Registers, if vested with the special powers, specified in Sec. 8. of Reg. IX. 1819.	9. 19.	8	1	—	—		—	—	
5. The execution of decrees by *sudder aumeens* and *moonsiffs* (on the press of business.)	2. 21.	7	2	—	—		—	—	
6. Summary suits for arrears of rent or dispossession from land to any amount, if vested with the powers specified in Reg. XXIV. 1814, if not so vested, such suits not exceeding 500 Rs.		9		—	—		—	—	
7. In referring suits to a Register not residing at the station, and having a separate local jurisdiction, the Judge to select such suits as may have arisen in that jurisdiction, in preference to others.	24. 14.	12	9	..	—		—	—	

* In Bengal, &c. and Benares, this enactment applicable to lands for which a permanent settlement has not been made.

(*r*) This does not appear to be extended to *moonsiffs'* decisions.

(*s*) "After delivery or tender of the decree, which period to be calculated according to the provisions of clause eleventh, of Section 8. of this regulation." These are the words of the enactment; but here is a mistake, for, if so calculated, three months after delivery or tender of the decree would be incorrect. (*See S.* 7, *cl.* 1, 2.) It should be "within three months after *date* of the *decree calculated* as above." (*See Cl.* 1, 2. of this section.)

(*t*) The mistake noticed above (Note *m*) being here repeated, becomes the law and might be found an inconvenient one.

(*u*) Orders of Government, communicated by the C. O. of S. D. A. Sep. 14. 1815, direct that Judges should particularly use their power of reference when the number of suits on their own file exceeds 200; but that they should always retain suits of the greatest importance for trial before themselves.

Chap. 1. Zillah and City Courts.	Bengal, &c.			Benares.			C. C. Provs.			
	Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.	
Sec. 9. 8. Z. or C. Judges may employ their Registers and Assistants in signing and issuing any process of the courts, and in taking depositions of wsses. .. .. (*For deputation of Registers, see Ch. 8, s. 1, cl. 7. 4.*)	24. 14.	11	1	—	—	—	—	—	—	
Cl. 2. Sudder Aumeens. Z. and C. Judges may refer for trial to their *sudder aumeens:*										
1. Original suits to the value of 150 Rs.	24. 14.	7	2							
2. Original suits to the amount of 500 Rs. when the business of the court has collected, and the *sudder aumeens* may have been so empowered by the S. D. A.	23. 14	68								
3. Appeals from decisions of *moonsiffs*, in the same circumstances.	2. 21.	5	2							
4. Suits in which either party plead in *formâ pauperis* are referrible amongst the above cases.	23. 14.	75	1							
5. No suit to be referred to a *sudder aumeen* for trial, in which either himself, any of his connections, or the *vakeels* of his court are concerned.	13. 24.	4	2							
6. The prohibition, against referring suits in which Europeans are concerned, rescinded.	23. 14.	68								
7. Executions of decrees by *moonsiffs* may be referred to *sudder aumeens* on a press of business. .. .. (*See further, Ch. 9, s. 2, cl. 3, 4.*)	4. 27.	2	2							
8. Suits to the amount of 1000 Rs. may be referred to *sudder aumeens*, when vested with the powers specified in Reg. IV. 1827.	2. 21.	7	2							
Cl. 3. General Rules. 1. Z. or C. Judges may at any time recall suits referred to *sudder aumeens* or Registers previous to decision, and either decide them themselves, or refer them to another tribunal.	4. 27.	2	3							
2. Regular suits or appeals from the decisions of Collectors, according to Reg. VII. 1822, not to be referred either to *sudder aumeens* or Registers. .. .. (*For reference of matters in the course of trial, and for deputations, see Ch. 2, s. 2, cl. 10.*)	24. 14.	10								
	23. 14.	47								
	9. 25.	2		—	—		7. 22.	31	2	
Cl. 4. Reference to Collectors. Judges may refer to Collectors for adjustment (*v*):										
1. Summary suits for arrears of rent. (*See Ch. 5, s. 1.*)	7. 99.	15	4	—	—	—	28*. 03.	22	4	* To the Doab, &c. by 8. 1805, 19.
2. Summary suits relating to indigo engagements. (*See Ch. 5, s. 5.*)	6. 23.	6		—	—		—	—		
3. Summary suits, instituted under Reg. V. 1812, particularly when such suits cannot be decided by the Judge or Register without delay. (*See Ch. 5, s. 4.*)	19. 17.	13	1	—	—	—	—	—	—	
4. Judges to refer to Collectors all suits for rents of lands held free of assessment, whether instituted by proprietors or claimants to the property, as well as suits to hold lands exempt from revenue, for investigation and report. (*See Ch. 4, s. 9.*)	2. 19.	30	1	—	—	—	—	—	—	
5. Precepts so referring summary suits, to specify a period for the decision of the suit, or to require reason for any delay that may occur.	14. 24.	2	2	—	—	—	—	—	—	
6. In case of considerable delay attending the Collector's decision, the Judge may at any time recall the suit. .. .. (*For forms and rules in such suits see Ch. 11, s. 8.*)			3		—				—	
7. When the authority of Government as specified in Reg. VII. 1822, 20, 1, has been proclaimed throughout the jurisdiction, all summary suits and petitions relating to lands or rents then pending, or subsequently instituted in civil courts, to be referred to Collectors for trial.	9. 25.	2		—	—		7. 22.	20	2	
Sec. 10. Correspondence. 1. Judges prohibited corresponding with parties in suits respecting matters pending before the court, and even with a superior court on the subject of pending suits, unless empowered to do so (*w*). ..	3. 93.	19		7. 95.	11		2. 03.	20		
Exception.—1. Plaints against native soldiers to be enclosed to their commanding officers. .. .. (*See Ch. 3, s. 4, cl. 2.*)	15. 16.	4	2	—	—	—	—	—	—	
2. Process or notice to be issued through and on Government officers by letters. (*See Ch. 3, s. 1, cl. 4.*)										
2. References that it may be necessary to make to the Nuwab of Bengal, to be transmitted through the Superintendent of Nizamut affairs.	19. 05.	2								
Such reference to be forwarded in an unsealed envelope to the Superintendent, or its substance may be stated in a letter to that officer. .. .. (*For the form of address, see the Persian regulation.*)		4								
3. All correspondence on the subject of the court's native establishment, to be forwarded to Government through the P. C. A. (*See Ch. 6, s. 1, cl. 4.*) .. (*See also Ch. 12, s. 7.*)	5. 04.	22		—	—		—	—		
Sec. 11. Execution of orders from superior Courts. 1. All orders and process of a P. C. or of the S D. A. to be enforced and returned by the Z. or C. Judge to whom directed, by the time specified in the precept, or sufficient reason to be given for delay; return to be made by an endorsement on the precept, or on a separate paper attached, and referred to by a note on the back of the precept: copies of all orders and returns to be kept in the re-										

(*v*) This mode of adjustment is enjoined to Judges by the letter of Government, para. 22 contained in the C. G. of the S. D. A Sept. 24 1819.

(*w*) By the C. O. of S. D. A Feb. 27, 1812, Judges are instructed to apply for the opinion of that court upon any case by an English letter, stating the points in doubt, connected with the proceedings which may accompany the letter; the same letter directs Persian translations of all Bengalee papers to be forwarded on such references. Also C O. of S. D. A. April 18, 1811, direct that discussions upon powers of officers and general animadversions are to be abstained from in Persian proceedings, and recorded in English.

Chap 1. Zillah and City Courts.	Bengal, &c.			Benares.			C. C. Provs.			
	Reg.	S.	C.	Reg.	S.	C.	Reg.	S	C.	
Sec. 11. cords of the court. If the process cannot be served, copy of it to be stuck up in the court-room, and in the village, or on the house door of the party, with notice that, on failure to attend by the date fixed therein, the suit will be tried and decided *ex parte* (x).	5. 93.	16		9. 95.	6		1*. 03.	16		* To the Do. ab by S. 1805, 8.
2. A Z. or C. Judge disobeying or making false return to any such order, liable to immediate suspension by the S. D. A. (*See Ch* 12, *s.* 4.)		15						15		
3. Z. or C. Judges may state objections to any precept of the P. C. A. if considered by them contrary to, or unwarranted by, the regulations, and may suspend execution of the same; but on receipt of a second precept, the order it contains to be executed whether similar to the former or not: Z. or C. Judges may, however, request a reference to the S. D. A. on the point	10. 96.	2		—			22*. 03.	2		† Do. do. by S. 17.
4. Z. and C. Judges may be instructed to take depositions required by the P. C. A. or S. D. A.	13.08. 24.14.	9 11								
In taking such depositions, the Judge or Register to be present if practicable. ..	19. 17.	11								
5. Z. or C. Judges, on receiving any precept or order for execution from the S. D. A. direct, to make returns under similar rules (*See No.* 1.) direct to the S. D. A.; liable to suspension for any disobedience or false return.	6. 93.	13		10. 95.	2		5. 03.	13		
6. Z. and C. Judges to conform to all precepts of the P. C. A. or to return good and sufficient reason for not doing so.	5. 93.	9		9. 95.	6		4. 03.	9		
Sec. 12. Confinement of persons sent by other authorities. 1. Persons sentenced to fine or imprisonment for the illicit sale or manufacture of spirituous liquors or drugs, to be sent to the Judge by the Collector of the *abkaree mohaul*, with a certificate of his order, which the Judge will enforce. ..	10. 13.	22	5	—	—	—	—	—	—	
2. Persons not paying penalties or fines adjudged by Salt Agents and Superintendents of *chowkees*, under the provisions of Reg. X. 1819, to be sent to the Judge with a copy of the *roobukaree* of the Salt Agent, specifying the amount of penalty, or period of confinement in commutation; the judge will enforce the order, levying the amount as a decree, and remitting the sums so levied to the Salt Agent.	10. 19.	11		—	—		—	—		
3. Z. or C. Judges to confine persons sent by Collectors of revenue and customs, Commercial Residents, &c. for refusing to take oath, or give evidence in cases against the native officers of those authorities.	2. 19. 8. 09.	19 10	1 5							
General Rule.—A similar enactment occurs in every regulation by which other than judicial officers are empowered to examine witnesses upon oath.										
4. Z. or C. Judges to confine *putwarees*, sent to them by Collectors for refusing, or omitting to produce, accounts required of them, until the accounts be produced, or sufficient cause be given for the neglect.	2. 19 12. 17.	12 23								
5. Z. or C. Judges to enforce the penalty (fine of 100 Rs. or imprisonment for fifteen days) adjudged by Collectors of revenue for contempt in open *cutcherree*. ..	11. 22.	37	1	—	—	—	—	—	—	
6. Z. or C. Judges to enforce the penalty (fine of 100 Rs. or imprisonment for fifteen days) adjudged by Collectors, as incurred by bidders at auction, failing to make the prescribed deposit. ..		14	3		—	—		—	—	
(*See generally the chapter containing particular judicial authorities.*)										
Sec. 13. Attestation of Records by the Judge. 1. An office of revenue records being kept in every *zillah*, the Judge to attest with his signature every page of the books, containing a list of the records and accounts	21. 93.	4								
2. The quinquennial register of estates kept by Collectors, to be attested by the signature of the Judge on every leaf.	48. 93.	16								
(*For supervision of the registry of deeds.—See Ch.* 8, *s.* 4, *cl.* 7 *and* 8.)										

(x) By C. O. of S. D. A. April 20, 1801, all information relating to the execution of such orders, directed to be conveyed by an extract from the Judge's Persian proceedings, and not by an English letter. This rule again enforced, June 25, 1801, and Oct. 12, 1803.

CHAPTER II.

GENERAL CONDUCT OF REGULAR CIVIL SUITS.

		Bengal, &c.			Benares.			C. C. Provs.			
		Reg.	S.	C.	Reg	S.	C.	Reg.	S.	C.	
Sec. 1. Admission and institution of suits. Cl. 1. *General Rules.*	1. No suit to be admitted which has been previously instituted, and is pending, in another court competent to try the same: suits so preferred a second time to be dismissed with costs; and pffs. liable to fine, and to close custody until the fine be paid, for any suits appearing to the Judge to be frivolous and vexatious. *(See Ch. 12, s. 3, 6, 7.)*	3.93.	12		7.95.	7		2*.03.	9		* To the Doab, &c. by S. 1805, 2.
	2. Suits already decided in a competent court not to be admitted, (unless in appeal:) the competency of the former tribunal, if doubtful, to be settled by the S. D. A.		16			10			10		
	Exception.—The competency of former courts in Chinsurah, to be decided by the Gov. Gen. in C.	18.25.	5								
	3. A Z. or C. Judge having refused to admit and try any original suit, the P. C. A. receiving the same may desire him to try it by precept. If the pff. neglect such suit for six weeks after the court's receiving such precept, the suit to be dismissed, and report of such dismissal to be made to the P. C. A. within one week after the dismissal.	5.93.	7		9.95.	6		4†.03.	7		† To the Doab, &c. by S. 1805, 2.
	4. Similar power vested in the S. D. A. with similar provisions *(a)*.	6.93.	4	1	10.95.	2		5.03.	4	1	
Cl. 2. *Limitation of Time.*	No suits admissible in Z. or C. C. of which the cause of action occurred earlier than the following dates:—										
	1. In the provinces of Bengal, Behar, and Orissa, (excluding Cuttack,) Aug. 12, 1765.	3.93.	14								
	2. In the province of Benares, July 1, 1795.				7.95.	8					
	3. In the provinces ceded by the Nuwab of Oude, Nov. 10, 1801.							2.03.	18		
	4 In *zillah* Bundlecund, Dec. 16, 1803.							8 05.	6	2	
	5. In the *zillahs* Seharunpore, Ally Gurh, and Agra, Dec. 30, 1803.							..	..	..	
	6. In *zillah* Cuttack, October 14, 1803.	14.05.	5								
	7. In the *pergunnahs* Sonk-Sonsa and Sahar, April 17, 1805 *(b)*.							12.06.	4		
	8. In the *jageer* of the Killadar of Kallenjir, June 19, 1800, (date of cession, June 19, 1812.)							22.12.	4		
	9. In the tract of country called Deyra Doon, May 15, 1803, (date of cession, May 15, 1815.)							4.17.	3		
	10. In the *elakeh* of Khandah and certain villages of *pergunnah* Mahobah, November 1, 1805, (date of cession, Nov. 1, 1817.)							2.18.	3	1	
	11. In the *pergunnah* Goburdhun, January 25, 1814, (date of resumption Jan. 25, 1826.)							5.26.	3		
	12. No suit admissible of which the cause of action was earlier than 12 years before the date of preferring the suit; unless the pff. can prove, that the defendant has acknowledged the justice of his claim, or that he has preferred his suit in some competent court within that period; or unless minority or other good cause have prevented his seeking redress.	3.93.	14		7.95.	8		2.03.	18		
	13 *Exception* 1.—Claims on the part of Government cognizable, if preferred within 60 years from the original cause of action; so that such cause of action was not earlier than the date of cession (as specified above.)	2‡.05.	2	2	—	—	—	—	—	—	‡ To the Doab by S. 1805, S. 6. cl. 1.
	(For an exception to this last condition, see Ch. 4, s. 5, cl. 4, 1, relating to lakheraj grants.)										
	14. *Exception* 2.—This limitation not applicable to suits for immoveable property, of which the occupant, or the person from whom he derived possession, acquired such property by fraud or violence; and of which property the occupant has not held possession by a fair and legal title believed to convey right for the period of 12 years.		3	1		—	—		—	—	
	15. In such suits the pff. to set forth in his plaint the circumstances of dishonest and illegal acquisition, and the court to investigate whether the claim may be cognizable or not.			2			—			—	

(a) The C. O. of S. D. A. July 29, 1809, direct, that all suits instituted under fictitious names be nonsuited.

(b) In all these provinces, more than 12 years having elapsed since the date of cession, the rule becomes as above; suits being now limited by the dates of cession, as specified in the text.

Chap. 2. General Conduct of regular civil Suits.	*Bengal, &c.*			*Benares.*			*C.C. Provs.*		
	Reg.	*S.*	*C.*	*Reg.*	*S.*	*C.*	*Reg.*	*S.*	*C.*
Sec. 1. Cl. 2.									
16. In cases of the above description, unless the present occupant shall not have acquired the property claimed by inheritance, purchase, or other valid title, or unless such title appear to have been collusive for the purpose of depriving the pff. of his right, pffs. must prefer their claims within 12 years after the deft. shall have acquired possession; otherwise such suit shall not be cognizable.	2.05.	3	3	—	—	—	—	—	—
17. "No length of time shall establish a prescriptive right of property, in any case wherein the possession of the actual occupant, or of those from whom his occupancy shall have been derived, shall not have been under a title *bond fide* believed to have conveyed a right of property to the possessor." *(c).* ..			4			—			—
18. *Exception* 3.—No length of time to bar the cognizance of suits for the recovery of property mortgaged or in deposit.			..			—			—
19. No suits whatever cognizable in any court of justice, if the cause of action has arisen sixty years before the institution of the suit (with the sole exception of suits specified in rule 18.)		3	3			—			—
20. Suits or informations for fines and penalties, (for which no limitation is elsewhere fixed,) to be preferred within one year after the act liable to fine or penalty, unless sufficient cause for delay be shown.		6				—			—
21. Suits for penal damages (not being compensation for actual loss) subject to similar rules. *(See rule* 20.)		7				—			—
22. Suits against the revenue authorities for the resumption of lands under Reg. II. 1819, to be instituted within a year after the parties being apprized of the decision of the B. of Revenue, unless sufficient reason be shown for delay. *(See Ch.* 4, *s.* 5.)	2.19.	24	1 2	—	—	—	—	—	—
23. Salt being confiscated for adulteration by the orders and officers of the magistrate, the owner, upon giving security for the final penalty, may institute a regular suit in the C. C. against the order of confiscation, within one month after the date of such order.	10.19.	80		—	—		—	—	
24. Lands having been decided to be Government property by Collectors, under sanction of the B. of Revenue, suits to reverse such decisions to be instituted within six weeks after such decisions, or within six weeks after receiving permission to sue. (*See Ch.* 11, *s.* 9, *cl.* 3.)	9.25.	5	12	—	—	—	—	—	—
Sec. 2. Trial of regular suits. Cl. 1. *Plaint.*									
1. No person but the actual parties, or their authorized *vakeels*, to prefer or to defend suits, and no persons to be heard *vivâ voce*, during the trial, save the parties, their *vakeels* or *wasee*. (*For deposit of vakeels' fees, See Ch.* 7, *s.* 6, *cl.* 1.)..	4.93.	2		8.95.	2		3.03.	2	
2. The petition of plaint to set forth the precise matter of complaint or claim; if for land, to specify the annual produce; if for other property, the value or amount of damage, the name of the deft. and time of the cause of action. Plaint to be signed by the pff. or his *vakeel*, and when filed, to be signed by the Judge, and numbered in the record. (*See s.* 1, *cl.* 2, 15. *Ch.* 4, *s.* 6, *cl.* 2, 1.)		3			..			3	
3. On the institution of such suits in the several courts of judicature, the plaint or petition to be on paper with stamp, valued as in the following scale: (*See cl.* 6, 11.)	1.14.	13		—	—		—	—	

Value of Claim.	*Value of Stamp.*	*Value of Claim.*	*Value of Stamp.*	*Value of Claim.*	*Value of Stamp.*
16 Rs. or less,	1 R.	800 Rs. or less,	32 Rs.	25,000 Rs. or less,	500 R.
32 ,, do.	2 ,,	1,600 ,, do.	50 ,,	50,000 ,, do.	750 ,,
64 ,, do.	4 ,,	3,000 ,, do.	100 ,,	100,000 ,, do.	1,000 ,,
150 ,, do.	8 ,,	5,000 ,, do.	150 ,,	above ,, do.	2,000 ,,
300 ,, do.	16 ,,	10,000 ,, do.	250 ,,		

(*For valuation of claims, see Ch.* 1, *s.* 6, *cl.* 2.)

Cl. 2. *Notification to Deft.*									
1. The plaint being filed, deft. to be served with a notice through the *nazir*, containing a short statement of the demand against him, and requiring him to attend, in person or by *vakeel*, on a certain day to answer to the complaint. ..	2.06.	2	1	—	—	—	—	—	—
2. If the deft. has an accredited agent at the court, his acknowledgment, endorsed on the back of the notice, to be accounted as sufficient service of the same. ..			2			—			—
3. If there be no such accredited agent at the court, or such agent refuse to endorse the process, the notice to be served on the principal, or on some agent or servant of his, by the hands of a *chuprassy* of the court. If the deft. reside in another jurisdiction, the notice to be sent to the Judge of such jurisdiction to be issued. If the deft.'s residence be not within any of the C. or Z. C.'s jurisdictions, and the property claimed lie in the district wherein the suit is instituted, notice to be served on the agent in charge of the property. If the party be not within the jurisdiction, and the deft. has no agent therein, the Judge to act on his own judgment in serving the notice.			3			—			—

(c) The words of the enactment are quoted in this rule, that the abstract may not seem to prescribe directions somewhat difficult to be reconciled with each other, a difficulty which lies in the regulation itself.

Chap. 2. General Conduct of regular civil Suits.	Bengal, &c. Reg.	S.	C.	Benares. Reg.	S.	C.	C. C. Provs. Reg.	S.	C.
Sec. 2. Cl. 2. 4. On the *nazir's* report, that the deft. is not forthcoming, and that the notice cannot be served, a proclamation requiring his attendance to answer the claim by a certain day (not within 15 days of fixing up the notification) shall be stuck up in the court-room, and on the outer door of the deft.'s dwelling house, or in some conspicuous place in the village where he resides. The *nazir* to return the order for such proclamation, with his endorsement, stating the circumstances of issuing the same. Non-attendance of the deft. within the time specified, to render the suit liable to trial *ex parte*. .. .. .. *(See further cl. 6, and cl. 5; also Ch. 6, s. 1, cl. 8, for* tulubaneh.)	2.06.	3		—	—		—	—	
Cl. 3. *Security for attendance.* 1. The deft. attending to defend the suit, security not generally to be required from him; but if it appear that he intends to abscond, security may be required for his appearance, either on issuing the first process or at any other period of the trial; on not producing security required, deft. to be kept in custody, till either he produce the security, or satisfy the decree, or until his property be attached in execution of judgment.		4							
2. Form of security bond prescribed.	11.97.	3		—	—		2.06.	4	
3. Such security bonds, if not for a specific amount, to be on stampt paper of 1 rupee. If for a specific amount, see the scale in Reg. I. 1814, S. 11, or Appendix, S. 2, cl. 4. *(d)*	16.24.	2		—	—		—	—	
	26.14.	19		—	—		—	—	
4. The amount and extent of such security to be at the discretion of the Judge; and may be extended at any time if insufficient; but such security only to answer for the presence of the deft.	3.02.	2		—	—		..	..	
5. Securities of defts. not attending after giving such security, may be prosecuted as principals.	4.93.	12		8.95.	2		3.03.	14	
6. *Exception.—Nowputty mahajuns* in Benares, and *baboos* of the Raja's family, only to be served with notices, and never liable to be called upon for security to attend.					10				
Cl. 4. *Security for execution of decrees.* 1. The court to require defts. to give *malzamuny*, whenever there appears sufficient reason to believe, that they intend to dispose of their property; or if they actually withhold the Government revenue of lands in dispute, with a view to subject the estate to public sale in order to evade the execution of final judgment; on failure to give such security, the court may attach the lands, or any property of defts. to the amount of suit.	2.06.	5	1	—	—		—	—	
2. Such attachment to be made on the court's order, by a proclamation read aloud and fixed up in some conspicuous place where the property is situated, after which any alienation of the property is illegal and void; and any actual removal of it punishable as resistance of process. (*See Ch. 1, s. 5, cl. 3.*) Such attachments of land may be made by a precept to the Collector, and need not otherwise be recorded on the proceedings. Such attachment not to remove deft. from management of the property, or from the exercise of any proprietary power consistent with the object of the attachment*.			2						
3. After decision of the suit, an order in conformity with the decree to be passed respecting the property attached; if the deft. be cast, the property to be held answerable for the execution of judgment; if the pff. be cast, the property to be released, and all expenses and loss incurred by the deft. from the attachment to be made good to him by the pff. as costs of suit. ..			3						
4. Sureties for the execution of decrees prohibited from transferring their right in any property bound by the security bond.	26.14.	13	2	—	—		—	—	
If the amount of security be otherwise discharged, such transfer of the property bound, not to be held invalid; otherwise, such transfer, as being illegal, not to bar the power of the court over the property in question.			3						
5. Deposits of money or promissory notes and other obligations of Government to be admitted as sufficient security: such tenders to be carefully preserved by the court treasurer.	2.06.	8		—	—		—	—	
6. These provisions to be followed by Judges, on the report from *sudder aumeens* or *moonsiffs*, that defts. in suits pending before them meditate evasion or removal of property: such orders to be enforced either through the inferior courts, or by officers of the Z. C.	23.14	23		—	—		—	—	
7. *Moonsiffs* may be employed to report on the validity of securities. .. .. *(For the stampt paper for security bonds, see s. 2, cl. 3, 3, and note.)*		73			—			—	
		53			—			—	
Cl. 5. *General process.* 1. Every process to be served through the *nazir*, without force on the part of his officers, or interference from others; if the deft. be a woman of rank, process to be served on her principal servant, and her defence to be received through a *vakeel*.	4.93.	13		8.95.	2		3.03.	15	

* See the late rules for attachment, Ch. 5, S. 8.

(d) The scale in Reg. I. 1814, Sec. 11, having been rescinded by Reg. XVI. 1824, Sec. 2, the S. D. A. (by C. O. Sept. 22, 1826) have directed, that security bonds taken by order of court for specific amounts should be written on plain paper till some further enactment be made.

Ch. 2. General Conduct of regular civil Suits.	Bengal, &c.			Benares.			C. C. Provs.		
	Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.
Sec 2. Cl. 5. 2. Any judicial officer whatever, having issued any kind of process, may when he thinks proper, personally superintend the execution of the same.	1.26.	2		—	—		—	—	
3. The expense of all processes on behalf of the pff. to be paid into court previous to their being issued.	26. 14.	14	6	—	—	—	—	—	—
4. The expense of processes to be discharged by the parties on whose behalf they are issued. Processes to be written or printed in the Persian or Bengalee language and character, for Bengal and Orissa: for all other provinces in the Persian or Hindoostanee language, and the Persian and Nagree characters.	4.93.	20		8.95.	9		3.03.	21	
5. *Exception.*—In *zillah* Cuttack, the Oryah language and character to be used instead of the Bengalee.	14.05.	11							
(*For resistance of process, see Ch.* 1, *s.* 5, *cl.* 3. *For rules of tuhubaneh, see Ch.* 6, *s.* 1, *cl.* 8.)									
Cl. 6. *Pleadings.* 1 The deft. being in attendance, the court to fix a day for him to file his answer; pff. then to file a reply; which, however, is to contain no matters not already mentioned in the plaint. On the same day the defendant to file a rejoinder, which must contain nothing unmentioned in the answer; here the pleadings to close. (*For deposits of vakeels' fees, see Ch.* 7, *s.* 6, *cl.* 1.) ..	4.93.	5		8.95.	2		3.03.	5	
2. Deft. to state in his answer his objections to the pff.'s statement of his claim, otherwise the statement of pff. to be held correct.		4			..			4	
3. If deft. neglect to file a rejoinder, the court to proceed in the trial without it. ..	26. 14.	6	2	—	—	—	—	—	—
4. Every reply, replication, rejoinder, supplement, as well as all *razeenamahs*, *ruffanamahs*, and *sooloohnamahs*, and petitions, filed in suits, to be on stampt paper according to the following scales:—in the court of the Register, on paper of eight annas stamp; in the court of the Z. and C. Judge, on paper of one rupee stamp; in the P. C. A. and S. D. A. on paper of four rupees stamp. ..	1.14.	17		—	—		—	—	
5. To rectify any essential or inadvertent omission, the court may admit one supplementary plaint or answer, and no more.	4.93.	5		..	..			5	
But only when the court may deem such necessary to the suit.	26. 14.	6	3	—	—	—	—	—	—
6. Pleadings may be written in the Persian, Bengalee, or Hindoostanee language, as the parties please.	4.93	3		..	..		..	3	
7. All pleadings to be written fairly and legibly on the prescribed stampt paper. ..	26. 14.	5	2	—	—	—	—	—	—
8. If the matter of any pleading cannot be comprised in one sheet, another sheet or roll of the same stampt paper to be added to it.			3			—			—
9. Any party or *vakeel* filing a pleading contrary to these rules, liable to a fine not exceeding three times the value of stampt paper required. (*See further Ch.* 7, *s.* 2, *cl.* 2, 6, *and Ch.* 7, *s.* 3, 1.)			4			—			—
10. For every miscellaneous petition, the matter of which cannot be contained on one sheet, another sheet of the same stampt paper to be joined to the former: any breach of the rule to incur a fine not exceeding three times the value of stampt paper required.			5			—			—
11. If a plaint has been filed on paper of the wrong stamp, and the court do not believe the mistake to have been wilful or fraudulent, pff. (or appt.) may be allowed to file a duplicate on stampt paper of such value, that with the paper already filed, the whole will complete the value prescribed. (*e*)			6	1		—			—
(*For the appointment of vakeels, &c. see Ch.* 7.)									
Cl. 7. *First hearing and exhibits.* 1. Eight days' notice to be given previous to a suit being brought to a hearing: this notice to be stuck up in the court-room.			12	1 2		—			—
2. Pleadings to be completed and read before the filing of exhibits, and summoning of wsses., unless there be some special reason for deviation.			10	1		—			—
3. Parties not ready to file their exhibits on the day appointed by such notice, liable to a fine not exceeding in amount one-fourth of the stamp duty on the plaint: a second neglect of this order liable to be treated as a default of the party, or may again incur a fine.			12	3		—			—
4. The court may require explanation of any circumstances in the case from the parties or their *vakeels*, and record the result, noting in the proceedings the point on which explanation is necessary; and no evidence to be admitted save on points so recorded.				2		—			—
5. No exhibit to be filed, and no summons to be issued without a *durkhaust* on stampt paper, according to the following scale: in the court of a Register, on paper of 8 annas stamp, in the court of a Z. or C. Judge, on paper of one rupee stamp; in the P. C. A. or S. D. A. on paper of two rupees stamp. (*f*)	26. 14.		10	3	—	—	—	—	—
	1.14.			4		—			—
				15		—			—
				16		—			—
6. It is sufficient to file one *durkhaust* on the proper stampt paper, with a list of the exhibits accompanying or wsses. to be summoned; or several lists on stampt papers, together equalling in amount the duty required.	26. 14.	22		—	—		—	—	

(*e*) Particular attention to rules 5, 7, 8, 9, 10, 11, has been enjoined by the C. O. of S. D. A. Aug. 7, 1817. Provincial courts are instructed to report any neglect of such attention on the part of Z. or C. Judge to the S. D. A.; and the same vigilance is required from Z. and C. Judges over Registers. Such attention is further enjoined by the C. O. of Dec 8, 1820.

(*f*) By the C. O. of S. D. A. March 16, 1818, this rule is interpreted as applicable to filing copies of regular decrees with petition of appeal, whether regular or special; but not applicable to copies of decrees unless filed in record.

Ch. 2. General Conduct of regular civil Suits	Bengal, &c. Reg	S	C	Benares. Reg.	S	C.	C. C. Provs. Reg.	S.	C.	
Sec. 2 Cl 7. 7. *Vakalutnamahs, moktarnamahs*, arbitration and security bonds (of all kinds), on being filed or executed, not liable to the fees (or stamp duty)on filing exhibits*.	26. 14.	24		—	—		—	—		* But are to be on stampt paper. See Appendix, S. 2, cl. 1, 4, 12, &c. except arbitration bonds.
8. Every exhibit to be produced, proved, and numbered in the record; and if rejected to be endorsed "rejected," with the circumstances of the case, under signature of the Judge.	4. 93.	6		8. 95.	2		3. 03.	7		
(For copies of documents, &c. produced in evidence, see s. 3, cl. 2, 3.)										
Cl. 8. *Witnesses.* 1. In trying the merits of the case, should the parties mutually consent to examination upon oath, the court to administer the same. The attendance of wsses. required, to be procured by a summons; wsses. whose evidence is material, refusing to attend, an order to be issued for their apprehension; in such case, or on refusal to give evidence, when in attendance, the court may impose a fine (not exceeding 500 Rs.) and commit the recusant to close custody until he consent to give evidence, and sign his deposition. The court may award to wsses. reasonable compensation for their expenses, at the cost of the party summoning them: such party refusing to pay the sum awarded, to lose the benefit of the testimony, and, after decision of the suit, liable to confinement until he pay it. Wsses. to be put upon their oath; but if they are of a high rank and caste, the court may dispense with their oath on their signing a declaration, *(for the form, see the regulation.)* Wsses. required being females of rank, their evidence to be taken by a commission of three creditable women, sworn for the purpose before the court, on written interrogatories prepared by the parties Should the wsses. reside in another jurisdiction, and beyond 50 *koss* from the court requiring their evidence, written interrogatories to be sent to the Judge of such jurisdiction (in a letter), and that Judge will cause the depositions to be taken: if the attendance of such distant wsses. or other party residing beyond the district be necessary, a requisition to be sent through the Judge of that jurisdiction. Every deposition to be numbered in the record; and if rejected, to be endorsed with the word "rejected," and the circumstances of the case, under signature of the Judge *(g)*.	4. 93.	6		8. 95.	2		3. 03.	7		
(For the mode of summoning wsses. employed in Government manufactures, see Ch. 3, s. 2, cl. 2.)										
2. Wsses. guilty of wilful perjury, in any cause or matter depending before the court, to be committed for trial before the court of circuit. *(Ch. 1, s. 5, cl. 2.)*		14			—			8		
3. *Putwarees* refusing to produce all accounts required by the court in evidence, to be committed to close custody *(h)*. . . .	12. 17.	24		—	—		—	—		
Cl 9. *Questions of Law* 1. Questions regarding inheritance, marriage, caste, and religious usages, to be settled according to the native law, whether Hindoo or Muhomedan: in the respective cases, the native law officers to be consulted. . .	4. 93.	15		8. 95.	2		3. 03.	16	1	
2. In cases when the religions of the pff. and deft. are different, decision is to be passed according to the law of the latter, unless the deft. be a European, when the religion of the pff. shall direct the law of the cases*. . .					3	2				* This provision only to be found in the Benares regulation.
3. Reference on such questions to the *Moluvee* or *Pundit*, to be made by a written statement of the facts in the case, under signature of the Judge; the answer to be written on the same document, each dated.	4. 93.	16		8. 95.	2		3. 03.	17		
4. If the Judge doubt the accuracy of the *futwa* given by the law officer, or if either party show, by other expositions of a similar law, that it is incorrect, a reference may be made for the opinion of the law officer attached to the superior court, through the Judges of that court: the court may receive law opinions tendered by the parties, quoting law authorities: such tenders not to be considered as documents, but may be referred to the law officer, to assist him in drawing up his opinion.	2. 98.	4		—	—			16	1	
Cl 10. *Particular investigations.* 1. Courts not to receive any reports relating to the facts of a suit pending from officers attached to the court or others (not being parties or wsses.), unless such persons be authorized to afford information. . .	4. 93.	16			2			17		
2. Any matter concerning accounts, facts, or usages, relating to suits under trial, may be referred by Judges for investigation or adjustment to *sudder ameens*.	23. 14.	76	1	—	—	—		—	—	
3. Orders on such occasions to be accompanied by particular instructions for the necessary investigation.			2			—			—	
			3			—			—	
4. The proceedings of *sudder ameens*, upon such orders, to be received as evidence, unless unsatisfactory.			4			—			—	
5. If in such investigations, the *sudder ameens* shall have incurred any unavoidable expense, the Judge may order the amount to be discharged by one or both of the parties.	13. 24.	5		—	—		—	—		
6. Z. and C. Judges may employ *moonsiffs* in the investigation of any local rights, usage, or other matter.	23. 14.	50	1	—	—	—	—	—	—	

(g) The C. O. of S. D. A 7th August 1817, enjoin particular attention to exhibits, &c in order to be specific as to the points to which evidence is necessary; also in taking depositions, that, if possible, witnesses should be examined *voce voce* in court, or, if it be necessary to employ native officers in taking evidence that they should be clearly directed by a *roobukaree*, not to examine or allow parties to question witnesses on other than the particular points specified. Attention to rule 4, of clause 7, is enjoined. The C. O. of S D A. October 25th, 1822, repeat these instructions, and direct that depositions taken by native officers shall be signed by such persons.

(h) The C. O. of S. D. A. 31st July 1817, and September 11, 1817, direct that witnesses summoned by courts of justice should be exempt from paying tolls at ferries.

Ch. 2. General Conduct of regular civil Suits.	Bengal, &c. Rec.	S.	C.	Benares. Reg.	S.	C.	C. C. Provs. Reg	S.	C.	
Sec 2 Cl. 10. 7 Particular instructions to be given to *mooseffs* on such occasions.	23. 14.	50	2	—	—	—	—	—	—	
8. Their proceedings to be received as evidence, unless unsatisfactory. (*See Ch* 10, *s.* 5.)			3			—			—	
9. Z or C Judges may at any time appoint extra *aumeens* for the investigation of any matter relating to a suit under trial before them; and determine what remuneration they may be entitled to*.	4. 93.	17		8. 95.	2		3. 03.	18		* Confirmed by 23. 1814, 54.
10. In cases of urgency, Judges may depute their Registers to make any local investigation concerning matters essential to suits pending before them.	11. 24.	2		—	—		—	—		
11. The Judge to report such deputations to the Judicial Secretary to Government.		4			—			—		
12. Report also to be made to the P C. A., which court may revoke such deputations.		5			—			—		
13 The Judge to determine what deputation charges the parties are respectively to pay.		3			—			—		
14. Judges may refer to Collectors (unless officially concerned in the case) for adjustment of any accounts of rent or revenue between parties as principals or sureties. Such reference to be made by precept, accompanied by the necessary documents. *Vakeels* and wases. may be ordered to attend Collectors during such investigations. Judges may empower Collectors to administer oaths to wases. and parties when necessary: on a report from the Collector, the Judge to pass decision, either reversing or confirming what adjustment he may have made.	8. 94.	13		54. 95.	2		7. 13.	2		
15. All civil courts may require from Collectors of revenue any registers of estates, for inspection, and if it should appear, at any time, that such have not been kept, the court to forward what explanation may be offered for the neglect to the Gov. Gen. in C.	8. 00.	15		—	—		12. 03.	26	3	
Cl 11. *Order of Trial.* 1. Suits to be tried in the order in which they stand upon the file.	4. 93.	19		8. 95.	2		3. 03.	20		
2 Suits in which any attachment for default of security has taken place, to be decided as soon as possible.	2. 06.	6		—	—		—	—		
(For Exceptions, see the chapters of Particular Cases and of Summary Suits, (Ch. 3, and 5,) and for suits of sepoys, Ch. 3, s. 4, cl. 3, 4.)										
Sec. 3. Rules for judgment. Cl. 1. *Decision.* 1 The parties having been heard, exhibits filed and examined, and evidences taken, the court to pass judgment in the suit.	4. 93.	7		8. 95.	2		3. 03.	9		
2. If at any time a pff. neglect his suit for six weeks, without sufficient excuse, his suit to be dismissed, and costs to be awarded to deft. (*i*)		10			—			12		
(For default in appointing vakeels, see Ch. 7, s. 4, cl. 2, 4.)										
3. When suits are adjusted by *razeenamah* before they come to a hearing, the whole amount of stamp duty to be returned to the pff.	13 10.	11	1	—	—	—	—	—	—	
	26. 14	25	1	—	—	—	—	—	—	
4. If such *razeenamah* be filed after the pleadings are completed, and the case has been heard, a moiety of the stamp duty to be returned to the pff. ..	13. 10.	11	2	—	—	—	—	—	—	
	26. 14	25	2	—	—	—	—	—	—	
5. Where no specific rules exist, Judges are to act according to justice, equity, and good conscience.	3. 93.	21		7. 95.	11		2. 03.	17		
(See Ch. 11, s. 10, cl. 9.)										
Cl 2. *Decrees and copies.* 1 Decrees of court are to specify the names of all wases. heard in the case; the documents received; the annual produce of the land, and actual value and nature of the property decreed, with the grounds of decision. Copies of decrees, attested by the Register with the seal of the court, to be tendered to the parties within ten days after being passed; non-attendance to receive such copy to be noted on the back of the decree (*k*).	1. 93.	26		8. 95.	2		3. 03.	27		
2. Decrees also to specify all fees and costs of suit, which are to be charged to parties as may appear equitable.	27. 14.	27		—	—		—	—		
3 Parties requiring copies of decrees, to furnish paper of the prescribed stamp. (*l*) ..	26. 14.	8	8	—	—		—	—		
4. Copies of papers only to be authenticated and received as evidence when on stampt paper according to the following scale:—										
Copies of decrees by Z. and C Judges and Registers, on paper of one rupee stamp.										
Do. by P. C. A. on paper of two rupees stamp.										
Do. by S. D. A on paper of four rupees.										
Copies of proceedings of S. D. A. prepared for transmission to the King in Council to be on paper of two rupees stamp.										
Copies of judicial proceedings generally, also of accounts, statements, reports, or other documents required for use or reference, to be on paper of eight annas stamp.	1. 14.	19		—	—		—	—		
Paper of European manufacture to be used for all such copies of decrees in regular or summary suits.	26. 14.	16	1	—	—	—	—	—	—	
Copies of decrees remaining as records in the courts, to be on unstampt paper of European manufacture, similar in size and description to the paper bearing stamp, and prescribed for such copies to parties.			2			—			—	

(*i*) By the C O. of the S. D. A. Nov. 5, 1812, this rule is explained to imply, that the pff. shall be called upon to account for the neglect previous to such dismissal; and enjoins, that if not in attendance, notice shall be served upon him to this purport.

(*k*) By the C O of the S D A April 27, 1796, particular observance of these directions is enjoined; and further, that all objections made by defts. to plaints, with the orders of court thereon, be inserted in decrees.

(*l*) By the C. O. of the S. D. A. Dec. 5, 1795, and May 14, 1818, copies are directed to be given to all persons applying for them, and of all orders of court.

Ch. 2. General Conduct of regular civil Suits.	Bengal, &c			Benares.			C. C. Provs.		
	Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.
Sec. 3. Cl 2. Copies of proceedings, orders, statements, or other papers for record or transmission to other courts, or public officers, to be written on the usual unstampt paper.	26. 14.	16	3	—	—	—	—	—	—
Individuals not prohibited from making copies on unstampt paper for their own use and at their own expense, but such not to be admitted as evidence by any court or public officer (*m*).			4			—			—
5. The *sheristadar* to endorse such stampt paper, when produced, with the date of its being furnished, the name of the party furnishing it, and the number of the suit; also to give a receipt for the same: copy to be given to the party or his *vakeel*, when prepared and authenticated, and the date of tendering such copy to be endorsed on the back of the decree.		8	9	—	—	—	—	—	—
6. Copies of decrees regarding the proprietary right or possession of all lands that pay revenue to Government, to be transmitted by the court to the Collector and B. of Revenue.	4. 93.	9					3. 08.	11	
7. As also copies of decrees passed in their own courts (or sent to Judges for execution), changing the proprietary right in lands exempted from revenue to Government.	58. 95.	4		—	—				
	58. 95.	3		—	—				
8. In suits and appeals wherein Government may be one of the parties, a copy of the decree (on plain paper) to be sent to the Judicial Secretary to Government. (*n*)	2. 05.	9		—	—		—	—	
Cl 3. *Issue of Process. Enforcement of Decrees.* 1. Parties desirous of having decrees enforced, to petition the court in which the decrees have been passed.	26. 14.	15	5	—	—	—	—	—	—
2. *Exception.*—Process for the recovery of fees, costs, or fines, as well as in execution of decrees adjudged to paupers, to be issued without application from parties. ..			9			—			—
3. Miscellaneous petitions to be on stampt paper, in Z. or C. C. of 8 annas stamp; in P. C. of 1 rupee stamp; in S. D. A. of 2 Rupees stamp.	1. 14.	18		—	—		—	—	
4. Such petitions to specify the number of the suit; the particulars of the decree; and names of the parties; whether it has been appealed; whether, and what adjustment has been made; the total amount due from the decree; and the names of persons upon whom the petitioner desires to enforce it. ..	26. 14.	15	6	—	—	—	—	—	—
5. The court, after comparing the petition with the original decree, to order it to be enforced.			7			—			—
6. If the original decree were passed *exparte*; or if the petition for execution be presented a year after the decision; or if the enforcement be desired against the heirs or representatives of the original parties; or if against only one of several persons affected by the decree; or if there be reason to believe the parties have made some adjustment amongst themselves: in such cases the court may refrain from immediate execution, and issue notice to the party to attend by a certain day. On failure of attendance, decree to be executed: if the party attend, and offer any objection, the court to issue such orders as may seem just and proper.			8			—			—
7. The preceding provision is imperative, not discretionary; but should there appear any intention to remove the property from which the decree is to be realized, the court to require sufficient security for satisfaction of the demand, or on default of such, to cause the property to be attached (*o*) (*p*). ..	7. 25.	7		—	—		—	..	
Cl 4. *Mode of executing Decrees.* 1. Decrees to be carried into execution, if for land or any real property, by transferring possession to the person who has gained the decree; if for personal property, by causing the delivery of it or its value. If a sum of money is adjudged, it may be levied by public sale of a portion or the whole of any lands, house, effects, or property, personal or real, belonging to the party against whom judgment has been past, or by the attachment of his person, or if necessary, both by sale of his property and confinement of his person. ..	4. 93.	7		8. 95.	2		3. 03.	9	
2. On the commitment of a deft. to custody at the suit of the pff., either pending the suit or after judgment, the Judge to order diet allowance to be given at charge of the pff., not more than four annas or less than one anna per diem: the first monthly payment to be made on confinement of the deft. Subsequently, upon the report of the *nazir*, that the pff. fails to pay the allowance prescribed, notice to be stuck up in the court-room, that, if the payment be not entered within a month, both of arrears and of a month in advance, deft. will be released. On default after such notice, deft. to be released. Pff. not to be charged with the diet allowance of persons committed for disobedience to any order of court (*q*).		8			..			10	
3. Diet allowance chargeable to defts. amongst the costs of suit, when property is forthcoming to answer the charge; but no persons to be detained in confinement on this account.	2. 06.	12		—	—		—	—	

(*m*) By the C. O. of S. D. A. of May 14, 1818, courts are directed to use their discretion in allowing persons to take copies on plain paper, from the *Sheristadar*:—and is explained, that all persons interested in cases pending, are entitled to receive copies of orders and proceedings, on presenting the proper stampt paper.

(*n*) The C. O. of S. D. A. December 29, 1820, require that Z. and C. Judges should keep English abstracts of decrees for land, for the benefit of the record office.

(*o*) For the mode of executing decrees against Government, see the C. O. of S. D. A. April 6, 1818; also *Ch* 3. *s* 1, *cl* 5.

(*p*) The C. O. of S. D. A. May 28, 1824, direct, that all proceedings relating to the execution of decrees shall be kept together and uniform: a form of register for recording such was circulated with these orders. The C. O. of August 20, 1824, contain further directions respecting this form of registry.

(*q*) By the C. O. of S. D. A. April 20, 1818, it is explained, that officers of Government are to be at the charge of the diet of persons whom they may cause to be confined, whether for arrears of revenue or on any other account.

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Sec. 3. Cl. 4. 4. In conformity with decrees for sums not exceeding 64 Rs. no person to be confined for more than six months; yet the debt may be realized from any property such person, released, may subsequently possess. ..	23. 14.	45	7	—	—	—	—	—	—	
5. When property (either of deft or of his surety) is forthcoming for the discharge of final awards, the courts are not to grant indulgence for the payment by instalments or otherwise, unless the pff. consent to such delay, or unless some short postponement appear equitable; but when no property is forthcoming, the court may, on its own authority and discretion, take an agreement to pay by instalments from deft. or his surety, (on entering *mal* or *hazirzaminy*,) and release the deft. Being released on such engagement, the deft. or his surety is only liable to arrest in breach of its conditions. (*See cl.* 7.) ..	2. 06.	10		—	—		—	—		
6. *Moonsiffs* may be employed to give possession of property in pursuance of decrees. (*See cl.* 6, 2.)	23. 14.	51	1	—	—	—	—	—	—	
7. In such cases, the Judge to order reasonable remuneration to be paid by the parties, unless the *moonsiff* shall have forfeited all claims to such by ill conduct. Such remuneration to be previously entered in court.			2 3		—	—			—	
8. *Moonsiffs* may also be employed to sell personal property in realization of fines and decrees, they receiving a commission of 1-16th on the amount of proceeds. ..	23. 14.	52		—	—		—	—		
9. The court may at any time require the aid of the Collector for the enforcement of decrees relating to *malguzary* lands.	7. 25.	6		—	—		—	—		
10. A precept being sent to the Collector to put parties in possession of a portion of *malguzary* lands, directions always to be given, that expenses incurred are to be at the cost of persons withholding possession.	19. 14.	5		—	—	—	—	—	—	
11. *Aumeens* appointed by the Collector for the division of estates, criminally amenable for corruption, and civilly for damages. All sums exacted, to be ordered to be refunded in such suits; and the offender to be imprisoned until he make good the decree, or until it be realized by the sale of his property. ..		13	2	—	—	—	—	—	—	
Cl. 5. *Sales of land insatisfaction of decrees.* 1. When the sale of any *malguzary* land shall be necessary in satisfaction of a decree, the court to transmit a copy of the decree (with an English translation) to the B. of Revenue, that authority may be given for completion of the sale (*r*).	45*. 93.	2		20. 95.	2		26. 03.	16		* 7 1825, 4, confirms these provisions.
2. Proclamations of sale to be stuck up both in the court-room and in the Collector's *kutchery* (*s*), in the office of the Secretary to the B. of Revenue, and in the village where the estate lies.		12			12			—		
3. The court may at any time, for sufficient reason shown, countermand or postpone such sale, by a precept to the revenue authority empowered to conduct the sale.		16			16			24		
4. These rules applicable to lands exempt from public revenue. ..		17								
5. The court, being petitioned by parties deeming such sale to have been irregularly conducted, and from a summary inquiry being convinced of such irregularity, may declare the sale null and void, and order a new one. Such petitions to be preferred within a month after the date of sale. The court may also order the first purchase money to be returned. (*See cl.* 6, 7.) ..	7. 25.	5	1	—	—	—	—	—	—	
6. Such summary decisions or orders open to a summary appeal. (*See Ch.* 12, *s.* 12, *cl.* 3.)			2			—			—	
7. *Exception.*—Estates attached by the particular order of Government, not liable to sale in execution of decrees, or in realization of fines, while under attachment: in such cases Government will make fair and equitable arrangements for the satisfaction of decree.	3. 18.	10	2 3			—			—	
Cl. 6. *Sale of other property.* 1. Sales of houses, small portions of unassessed lands, &c. to be made under orders of court (in satisfaction of decree), without application to the revenue authorities, as the court would order the sale of personal property.	7. 25.	2	2	—	—	—	—	—	—	
2. The court may employ their *nazir, sudder aumeens*, or *moonsiffs*, in such duty...		3	1		—	—		—	—	
3. Proclamation of such sale to be made not less than 30 days, (exclusive of the day of sale,) before the sale take place. Notice also to be stuck up in the *cutcherries* of the Collector†, the local *moonsiff*, the *sudder aumeen*, (if he be appointed to conduct the sale,) and in the court-house.			2			—			—	† See note *s*.
4. Process for attachment and proclamation of sale may be issued the same day. Any informality in the sale established before the court on a summary inquiry, sufficient to invalidate the sale. Petitions stating, and complaining against, such irregularity, to be presented within one month of the sale.			3			—			—	
5. No fraud or collusion appearing on the part of the purchaser, the first purchase money, with or without interest, as may appear proper, to be returned to him, on any such sale being reversed.			4			—			—	

(*r*) By the C. O of S D. A. Feb. 17, 1816, courts are enjoined, on sending copy of the decree to the Board of Revenue for the above purpose, to appoint a *chuprassy* at the same time to sequestrate the lands, but to continue the actual possessor in management of the same, till the Board of Revenue take measures for further settlement

(*s*) The C. O. of S D. A. April 9, 1817, direct, that all notices required to be sent for issuing to the Collector shall be enclosed in a cover signed by the Judge or Register, to that officer, who will note and attest the date of receiving it.

Ch. 2. General Conduct of regular civil Suits.	Bengal, &c.			Benares.			C.C. Provs.			
	Rs.	S.	C.	Rs.	S.	C.	Rs.	S.	C.	
Sec 3. Cl. 6. 6. Such summary decisions and orders open to a summary appeal. *(See Ch. 12, s. 12.)*	7.25.	3	5	—	—	—	—	—	—	
7. Any claim to, or objection to the sale of, such property, if preferred within the period of the proclamation, to be investigated either by the court or by any officer deputed for the purpose. Such claim or objection not appearing fraudulent, the sale may be postponed until it be properly decided upon. ..			6			—			—	
8. Such claim or objection being made before the Collector against sales having been proclaimed by him, are to be forwarded for the orders of the court; a summary inquiry to be instituted thereon as above; and the sale to be postponed, if the claim has been preferred within a reasonable time after the publication of sale. In such cases the court may always refer the claimant for redress to a regular civil suit.		4	4 5		—	— —		—	— —	
Cl. 7 *Insolvent Debtors.* Insolvent debtors under confinement, stating upon oath the whole of their property of whatever kind, whether held by themselves or in the name of others, the court to inquire whether such statement be correct, and being satisfied that there is no fraudulent intention to conceal property, may, upon the sale of such as has been stated, release the debtor from confinement, with or without security for his re-appearance. Creditors may apply to the court for the sale of any property that debtors may possess subsequently to being released, or for their re-confinement, on proof of fraud in their statement of property. Orders of the court in such cases always appealable *(t)*. ..	2.06.	11		—	—		—	—		
Sec. 4. Suits appealed. Cl. 1. *Petition of Appeal through the original Court.* 1. Any person dissatisfied with the decision of a Z. or C. Judge, may present a petition of appeal to that court in which it was passed, within three months after date of the decree. *(For the mode of calculating this period, see Ch. 12, s. 9, cl. 3, 9.)*	5.93.	12		9.95.	6		4.03.	12	4	To the Doab, &c. by S. 1805. 6. 4, 5.
2. Petitions so presented to the court wherein the decision was past, need not be accompanied by copy of the decree; but must be on stampt paper, (see the scale in *s.* 2, *cl.* 1, 3. of this chapter, in application to appeals,) and must be accompanied by security for all eventual costs.	26.14.	8	2	—	—	—	—	—	—	
3. Such petition need set forth no more than that the appt. is dissatisfied with the original decision.			5			—			—	
4. When the Z. or C. C. may reject such petition of appeal, copy of the order to be given to the party as soon as possible, he having the option to present a second petition in such case to the P. C. A.	12.97.	4		—	—		4.03.	12	10	
5. The appeal being admitted, and the securities *(see Ch. 12, s. 9, cl. 5.)* filed in the Z. or C. C., the Judge to endorse the petition with the date of admission, and to write "appealed" on the record of the case. Notice to be given to the appt. that if he do not proceed in the case before the P. C. A. within six weeks, it will be dismissed.	5.93.	12		9.95.	6		4.03.	12	7	
6. Such notice to apply in limitation, to the date of filing the petition. ..	12.97.	3 4		—	— —		—	— —		
7. Petitions of appeal being admitted in the Z. and C. C., to be forwarded, with the record of the case, to the P. C. A. within fifteen days. Copies of all papers forwarded to remain in the *surishta*. Such copy to be authentic evidence in court. *(For further rules of appeal, see Ch. 12, s. 9.)* ..	5.93.	12		9.95.	2		4.03.	13		
Cl. 2. *Execution of Decrees in Suits appealed.* 1. Persons obtaining a decree for lands or other immovable property to obtain immediate possession thereof, although the decree be appealed from, upon giving sufficient security equal to one year's produce of *malguzary* land, and 10 years' of *lakheraj* land for the performance of judgment in appeal, in case of reversing the original decision: if the property be immovable, but not land, the security to cover the value computed.	13.08.	11	2	—	—	—	—	—	—	
2. The court, however, if it see cause, may allow the appt. to retain possession on giving the same security.			3			—			—	
3. If by the neglect of either party, left in possession, the lands be set up to sale for arrears of revenue, the other party, on paying such arrears and filing security, shall obtain possession, and may be entitled to recover the amount, with interest, on the final judgment being passed.			4			—			—	
4. If the property, however, be sold for arrears of revenue, and the party opposed to him, who retained possession, become the purchaser, should the same party obtain the final judgment of the suit in his favour, he will be entitled to recover his purchase money, within tere t at 12 per cent. But should some other party purchase the estate, if the person not retained in possession obtain the final decree, he will be entitled to recover the purchase money from the opposite party. Should it be shown, that such third person bought the estate privately for the former occupant, the person gaining the final decree may still get possession...	5.98.	4 5		—	—		4.03.	14	1	

(t) The C. O. of S. D. A. December 31, 1824, explain, that this rule extends to persons in confinement on summary decrees of court.

Ch. 2. General Conduct of regular civil Suits.	*Bengal, &c.*			*Benares.*			*C.C. Provs.*		
	Reg.	*S.*	*C.*	*Reg.*	*S.*	*C.*	*Reg.*	*S.*	*C.*
Sec. 4. Cl. 2. 5. Should neither party be able to give the security required, the court will desire the Collector by precept to attach the lands until security be filed, or the final decree be passed. Expenses of such attachment to be charged to the party eventually entitled to the lands.	5.98.	6		—	—		4.03.	12	9
6. Execution of decrees for money or moveable property to be stayed or enforced on the same rules.	13.08.	12	1	—	—	—	—	—	—
7. Security under such decrees to be given by the appts. must be sufficient to cover interest payable under the decree, if confirmed by the superior court. ..	13.08.	12	3	—	—	—	—	—	—
	26.14.	13	2	—	—	—	—	—	—
8. *Nazirs* to be careful in reporting upon securities, and responsible for misrepresentation.	13.08.	12	3	—	—	—	—	—	—
9. Sureties not to transfer their rights to property bound by such security bonds.	26.14.	13	2	—	—	—	—	—	—
			3			—			—
Sec. 5. Arbitration. Cl. 1. *Reference to, by the Courts.* 1. Courts may recommend parties in suits for disputed accounts, partnerships, debts, suspicious bargains, or breach of contract, (the amount in dispute being above 200 Rs.) to refer their quarrel to arbitrators.	16.93.	2		15.95.	2		21.03.	2	
2. In suits for personal property less than 200 Rs. in value, one arbitrator may be sufficient.		3			..			3	
3. Parties in suits for land, or rights in landed property, at liberty to refer their quarrel to arbitration, and the courts to encourage their doing so. ..	6.13.	2	1	—	—	—	—	—	—
4. If the parties cannot agree in the nomination of arbitrators between themselves, the court may appoint (the parties always giving consent) some creditable persons belonging to the estate, or to the *pergunnah* where the cause of dispute is situated, but who have no interest in the suit, to be arbitrators: if the parties cannot agree in their own choice, or that of the court, or if the arbitrators refuse to sit, the suit is to be tried by the court.	16.93.	3		—	—		—	—	
5. Courts to recommend (not to oblige) respectable persons to consent to sit in arbitration. Such persons not to receive any fee or reward.		4		15.95.	2		..	4	
6. Parties consenting to a decision of their suit by arbitration, to execute an arbitration bond (on plain paper) binding themselves by the award. The parties may add an umpire to the arbitrators, or permit the arbitrators to nominate an umpire; to agree that the award of the majority be final. A period to be fixed for their decision by the court. If the arbitrators cannot agree by the time fixed, the umpire may give his award.		5			..			5	
7. The court to refer the suit to the arbitrators, on the execution of the arbitration bond; to issue all processes for wsses. that may be required by the arbitrators; and may commission arbitrators, if at a distance from the court, to administer oaths to wsses. Wsses. or others, not attending, or refusing to give evidence, or guilty of any contempt before the arbitrators, liable to the punishment due for such offence before the court. Arbitrators to forward their orders on such offence to the Judge for his confirmation.		6			..			6	
8. The court may at any time extend the period fixed for passing an award. ..		7			..			7	
9. The award of arbitrators, with all their proceedings, to be sent to the Judge, who will pass the decree thereon. Such decree to be enforced according to the regulation.	16.93.	8			..		21.03.	8	
10. The award of arbitration not to be set aside, unless corruption or partiality can be proved against the arbitrators, on the oaths of two credible wsses. ..		9						9	
Cl. 2. *Private Arbitration.* 1. Persons disputing for land, or any rights attached to lands, whether their suits be pending in a court or not, may refer their quarrel to private arbitration, of which the award is to be supported by the court.	6.13.	3	1	—	—	—	—	—	—
2. Parties obtaining such award in their favour, on the refusal of the other party to comply with it, may petition the court (within six months after the date of the award) for its enforcement. The court then summarily to investigate the fact of arbitration and award, calling on the other party to answer the petition; on proof to enforce it as a decree; the limitation of six months arbitrary; the arbitrators may be called upon to assist the enforcement of their award(*u*).			2			—			—
3. Awards privately executed to be supported by the court, but such awards when tendered not to be admitted, if not performed wholly or in part, unless clearly proved, and the non-performance be accounted for, and the execution be easy.			3			—			—
4. No decree upon private or authorized awards to be set aside, unless the award itself be open to just impeachment.		4				—			—
5. In disputes for possession, boundary, and premises, or irrigation, the court strongly to recommend the parties to arbitration, either for final adjustment or for temporary settlement, until either party may prove his right in a regular suit. The arbitration bond must specify whether the award is to be final or temporary. ..		5	2			—			—

* To the Doab, &c. by 8, 1803, 17.

(*u*) The C. O. of S. D. A. February 24, 1826, direct, that applications on such private awards shall be received and enforced under summary process, subsidiary to a regular suit; the summary decree not to be set aside except on proof of corruption. This explanation is declared applicable to rule 5.

APPENDIX

TO

CHAPTER II.

SUCH RULES CONCERNING STAMPS AS RELATE TO CIVIL COURTS.

		Reg.	S	C.	
Sec. 1. Rules and Penalties.	1. No deed, instrument, or writing whatever, relating to the payment, receipt, sale, conveyance, assignment or transfer of any property, real or personal, or to any agreement, contract, or engagement intended to have effect within the British provinces, (excepting only bills of exchange drawn *bonâ fide* out of the provinces,) to be received, filed, or admitted as evidence in any court of justice or other public office, unless on paper or other material bearing the prescribed stamp.	16. 24.	6	3	
	2. Any person, whether the party interested, or his agent, or any *vakeel* or ministerial officer of any court of justice, who may file or otherwise present, or procure to be presented any deed or instrument in proof, information, registry, or otherwise, not bearing the prescribed stamp, shall be dismissed, (if an officer of Government or *vakeel* of court,) besides the penalty of five times the amount of duty prescribed for such document.		7	1	
	3. Any person filing, exhibiting, or recording in a court of judicature a deed, petition, or writing to be on stamp paper, and not bearing the signature of a licensed vender or person authorized to distribute stamps, shall forfeit a sum equal to five times the amount of the stamp duty; any person, exhibiting or recording a deed with a counterfeit signature or stamp, shall forfeit a sum equal to 20 times the stamp duty, unless the party can show that the paper was purchased, as specified on the back of it, from a licensed vender; if it appear that the endorsement is correct but the stamp forged, the Judge to send it to the Collector or stamp agent with his recorded opinion.		12	1	
	4. The court is competent to remit a portion of such penalties as it may think proper. ..		13	3	
	5. No objection to be made to deeds, petitions, or writings, if exhibited on paper bearing a stamp above the value prescribed.		8		
Sec. 2. Rates of Stamp Duty. Cl. 1. *Legal writings.*	1. For the stamps required for plaints in regular suits and regular and special appeals, *see Chap. 2, s. 2, cl. 1, 3.*				
	2. For the stamps required for pleadings, *see Ch. 2, s. 2, cl. 6, 4.*				
	3. For the stamps required for *durkhasts* with exhibits, and applications in suits, *see Ch. 1, s. 2, cl. 7, 5.*				
	4. Miscellaneous petitions*, applications, and all *vakalutnamehs* to be on stampt paper according to the following scale; if preferred in *d wanny* Z. or C. C. on paper of 8 As. stamp; in a P. C. on paper of 1 rupee stamp; in the S. D. A. on paper of 2 rupees stamp.	1. 14.	18		* See exception for Cuttack, Ch. 11, S. 2, 6.
	5. Under this rule are included petitions in summary suits and summary appeals.	26. 14.	20	2	
	6. *Exception.*—Petitions from persons under confinement may be received an unstampt paper.	18. 16.	17		
	7. Copies of papers only to be authenticated and received as evidence when on stampt paper, according to the following rules.	1. 14.	19		
	Copies of decrees by Z. and C. Judges and Registers on paper of 1 rupee stamp.				
	„ „ by provincial Judges, on paper of 2 rupees stamp.				
	„ „ by Judges of the S. D. A. on paper of 4 rupees stamp.				
	Copies of proceedings of the S. D. A. prepared for transmission to the King in Council, to be on paper of 2 rupees stamp.				
	Copies of judicial proceedings generally; copies of accounts, statements, reports, or other documents required for use or reference, to be on paper of 8 annas stamp.				
	8. Paper of European manufacture to be used for all copies of decrees in regular or summary suits.	26. 14.	16	1	
	9. Copies of decrees remaining as records in courts to be on unstampt paper of European manufacture of the same size and description as that used for stampt copies.			2	
	10. Copies of proceedings, orders, accounts, statements, and other papers, to be on unstampt paper, when prepared for record or transmission to other courts or offices.			3	
	11. Individuals not prohibited from making copies on plain paper for their own use and at their own expense, but such not to be admitted as evidence by any court or public officer.			4	
	12. All security bonds* required by any judicial or revenue authority, whether for appearance, costs of suit, or otherwise, and being of no specific amount, to be on stampt paper of 1 rupee; if for a specific amount, on stampt paper according to the scale contained in Sec. 11, of Reg. I. 1814. *(See cl. 4, of Appendix.)*	26. 14. 16. 24.	19 3		* See Note *(a)* to Ch. 2.
Cl. 2. *Documents on the part of Government.*	1. All engagements and instruments specified in Sec. 9, of Reg. I. 1814, (viz. bonds, promissory notes, bills of exchange, letters of credit or other obligation for payment of money; receipts, and acquittances, deeds of gift, sale, devise, or other transfer of property; any lease, deed of mortgage, of contract, partnership, agreement, security or engagement,) in which Government may be a party, whether in the manufacture of salt and opium, or for the sale and manufacture of spirituous liquors or drugs, shall be admitted as evidence on plain paper...	10. 14.	2		
	2. So much of Reg. X. 1814, as relates to engagements between Government and individuals in the provision of the Company's investment rescinded; all engagements executed by an officer of Government in the commercial department, on account of such investment, to be chargeable with stamp duty.	16. 24.	19	1 2	

Sec. 2. Cl. 4. *Documents and exemptions according to the Schedule of Reg. XVI. 1824.*

DUTIES.

1. Bill of exchange, drafts, *teeps*, *hoondies*, *hurats*, and promissory notes, &c. unwitnessed, payable in the provinces within three months, and payable out of the provinces at whatever date *(a)*:

	R. A.		R. A.		R. A.
For 25 Rs. or less	0 1	For 800 Rs. or less	1 0	For 20,000 Rs. or less	6 0
,, 50 ,,	do. 0 2	,, 1600 ,,	do. 1 8	,, 30,000 ,,	do. 8 0
,, 100 ,,	do. 0 4	,, 3000 ,,	do. 2 0	,, 50,000 ,,	do. 12 0
,, 200 ,,	do. 0 8	,, 5000 ,,	do. 2 8	,, 100,000 ,,	do. 16 0
,, 400 ,,	do. 0 12	,, 10,000 ,,	do. 4 0	,, above	20 0

N. B. Foreign bills of exchange, drawn in sets, for sums exceeding 400 Rs. have the advantage of one grade in the above scale for every bill of each set; for all under 400 Rs. the charge is 8 As.

2. Promissory notes intended to be re-issued

	R. A.		R. A.		R.
For 25 or less	0 2	For 800 or less	1 8	For 20,000 or less	8
,, 50	do. 0 4	,, 1600	do. 2 0	,, 30,000	do. 12
,, 100	do. 0 8	,, 3000	do. 2 8	,, 50,000	do. 16
,, 200	do. 0 12	,, 5000	do. 4 0	,, 100,000	do. 20
,, 400	do. 1 0	,, 10,000	do. 6 0	,, above	32

3. Bonds, *(b) tumussooks*, promissory notes, and other obligations payable after three months, also promissory notes payable by instalments, deeds of mortgage, gift, and dower, or of settlement; also engagements for delivery of indigo plant or other article for advances made, chargeable according to the amount advanced:

	R. A		R.		R.
For 25 Rs. or less	0 2	For 2000 Rs. or less	10	For 75000 Rs. or less	70
,, 50 ,,	do. 0 4	,, 3000 ,,	do. 16	,, 100000 ,,	do. 80
,, 100 ,,	do. 0 8	,, 5000 ,,	do. 20	,, 150000 ,,	do. 100
,, 200 ,,	do. 1 0	,, 10,000 ,,	do. 32	,, 200000 ,,	do. 120
,, 300 ,,	do. 2 0	,, 20,000 ,,	do. 40	,, above	150
,, 500 ,,	do. 4 0	,, 30,000 ,,	do. 50		
,, 1000 ,,	do. 6 0	,, 50,000 ,,	do. 64		

4. Bonds, &c. for indefinite sums or unlimited,..... 150 Rs.
5. Settlements of indeterminate value,..... 100 ,,
6. Conveyances of all descriptions, partitions, and exchanges, when money may be paid for equality of share or exchange, leases in perpetuity of lands, houses, and other real property, for which a consideration may be paid *(c)*:

	R. A.		R.		R.
For 50 Rs. or less	0 8	For 2000 Rs. or less	12	For 20,000 Rs. or less	50
,, 100 ,,	do. 1 0	,, 3000 ,,	do. 16	,, 30,000 ,,	do. 64
,, 200 ,,	do. 2 0	,, 5000 ,,	do. 20	,, 50,000 ,,	do. 80
,, 500 ,,	do. 4 0	,, 8000 ,,	do. 32	,, 100,000 ,,	do. 100
,, 1000 ,,	do. 8 0	,, 12,000 ,,	do. 40	,, 200,000 ,,	do. 150
				above, for each lac	100

7. Collateral deeds with any of the above,..... 8 Rs.
8. Leases, *pottahs*, *kubooleats*, specifying an annual rent exceeding 12 Rs.

	R. A.		R.		R.
For 24 Rs. or less	0 8	For 500 Rs. or less	4	For 6000 Rs. or less	20
,, 50 ,,	do. 0 12	,, 1000 ,,	do. 8	,, 10,000 ,,	do. 32
,, 100 ,,	do. 1 0	,, 2000 ,,	do. 12	,, 50,000 ,,	do. 64
,, 250 ,,	do. 2 0	,, 4000 ,,	do. 16	above	80

9. Leases stipulating for annual rent, besides a fine or present consideration, chargeable as above for the lease and as bonds. (See No. 3, for the fine.)
10. Counterparts of any leases or *other deeds*, bearing a stamp above 8 Rs., to be charged with a duty of 4 Rs.
11. Partitions made by Collectors, chargeable on the amount of each share:

	R. A.		R.		R.
If 100 Rs. or less	0 8	If 400 Rs. or less	2	If 800 Rs. or less	6
,, 200 ,,	do. 1 0	,, 600 ,,	do. 4	above	8

12. Receipts and discharges for payment of money or payment made by bill, draft, promissory note, or the like:

	R. A.		R. A.		R. A.
For 100 Rs. or less	0 2	For 1000 Rs. or less	0 12	For 5000 Rs. or less	2 0
,, 200 ,,	do. 0 4	,, 2000 ,,	do. 1 0	,, 8000 ,,	do. 2 8
,, 500 ,,	do. 0 8	,, 3000 ,,	do. 1 8	above	4 0

EXEMPTIONS.

Government bills, drafts, or drafts payable to the bearer on demand in any place within 10 *koss* or 20 miles from the place where drawn.

N. B. Power reserved to Government of compounding with Banks.

Arbitration bonds, wills, and trust deeds in pursuance of previous settlements, wills, &c.

Security bonds* taken by orders of any competent authority, *razeenamehs*, *sooloohnamehs* filed in any suit, to be charged as hitherto, according to the rules in force.

* See Cl. 1, 12, and note *(d)* to Ch. 2.

N. B. Bonds, deeds of mortgage, &c. given in security for transfer of Government loan obligations or payment of annuity for a given period, to be charged *pro rato*, according to the amount secured, if capable of valuation; if uncertain and unlimited, at 150 Rs.: annuity bonds for indefinite period to be valued at 10 years' payment.

Deeds of conveyance in transactions with Government, not being sales for arrears or in execution of decrees, transfers of Government securities and bank shares.

All leases or *pottahs* given by or for Government, or by the Board of Revenue, or Court of Wards. All *pottahs* and *kubooleats* with *ryots*, or other actual cultivators of the soil.

Receipts, &c. for sums below or not exceeding 50 Rs. Receipts to *ryots*, or given in transactions with Government; also for money paid for Government securities or bank shares; also for money deposited to be accounted for on demand; also written on any bond, bill, or promissory note, and letters by post.

(a) Receipts, &c. for money deposited in a bank, if stipulating for the payment of interest, are to be deemed promissory notes, so acknowledgments of loans from a bank or the like.

(b) The C. O. of S. D. A. explain that in all such deeds the stamp duty is to be calculated from the amount of the principal alone, exclusive of contingent interest.

(c) Parties may choose which of several shall be deemed the principal deeds of conveyance, and the rest shall bear a stamp as collateral deeds; each to specify which is the principal, and has been duly executed as such.

DUTIES.	EXEMPTIONS.
Sec. 2. Cl. 4. 13. Receipts, &c. in full of all demands*, ... 4 Rs.	* For receipts for *vakeels'* fees, *see Ch. 7, s. 6, cl. 7.*
14. Agreements concerning any matter of the value of 500 Rs. or upwards, assignments, if not conveyances or settlements, bills of sale or bonds of indemnity, or bonds as collateral security in addition to deeds paying as conveyances, or for the due execution of an office or work, charter parties and the like, deeds of co-partnership, exchange, composition between debtor and creditor, also of partition where no money is paid, and all other bonds, contracts, and deeds not otherwise charged or exempted; lastly letters of license from creditor to debtor, ... 8 Rs.	Agreements for hire of labour, or for sale of goods under 500 Rs. value. Charter parties of ships hired by Government.
15. Bills of lading, ... 1 R.	
16. Copies; if for security of a party taking benefit, the same as for the original deed; if for use of a third party, ... 8 Rs.	Copies for private use, and of proceedings, &c. of the courts as at present. (*See cl. 1, of this Sec.*)
17. Copies of schedules annexed to any deed, ... 8 ,,	Copies required to be furnished by public officers publicly.
18. Authenticated copies of Government records, per sheet, ... 8 As.	
19. Policies of insurance chargeable on the amount insured:	
If for 5000 Rs. or less R. 4 — If for 20,000 Rs. or less R. 12 — If above, 20 Rs. ,, 10000 ,, do. 8 — ,, 50,000 ,, do. 16	
20. Policies of insurance upon any interests in vessels, when the premium for the voyage does not exceed 2 per cent., for every 1000 Rs. or fractional part of 1000 Rs. ..... 8 As.	
21. When the premium exceeds 2 per cent. for every 1000 Rs. or fractional part of 1000 Rs. ..... 1 R.	
22. Powers of attorney or the like; special, 2 Rs.; general, ... 4 Rs.	*Moktarnamehs* by *sepoys* of regular corps, *vakalutnamehs* as at present†.

† See *Ch. 7, s. 4, cl. 1, 3.*

		Reg.	*S.*	*C.*
Cl. 4. *Rates of stamp duty in force from the 1st May 1814.*	1. Every bond, promissory note, bill of exchange, letter of credit, or other obligation for the payment of money; every receipt or acquittance; every deed of gift, sale, devise, or other transfer of property real or personal; every lease, deed of mortgage, or other limited assignment of land; every deed of contract, partnership, agreement, security, or engagement, executed within the British provinces, to be charged with stamp duty by the following scale; calculated by the sum or value of property affected:			
	For 16 Rs. or less A. 1 — For 250 Rs. or less R. 0 A. 8 — For 2000 Rs. or less R. 4 A. 0 — For 20,000 Rs. or less R. 32 ,, 64 ,, do. 2 — ,, 500 ,, do. 1 0 — ,, 5000 ,, do. 8 0 — ,, 50,000 ,, do. 50 ,, 125 ,, do. 4 — ,, 1000 ,, do. 2 0 — ,, 10000 ,, do. 16 0 — ,, 100,000 ,, do. 100 above 150	1. 14.	11	
	2. Every *pottah*, *kubooleat*, receipt, or other engagement relating to lands not paying revenue to Government, chargeable with stamp duty.		12	

CHAPTER III.

SPECIAL FORMS IN PARTICULAR CASES.

		Bengal, &c			Benares.			C.C. Provs.		
		Reg.	S	C.	Reg.	S	C.	Reg	S	C.
Sec 1. Suits against officers of Government. Cl 1. *Institution and admission of*	1. Suits against Commercial Residents and their officers, by persons in their employ, not to be received unless the Resident shall have refused the complainant redress; in which case the pff. must sue the Resident, whether the act be his own or that of his officers.	31.93.	16		4.05.	2		37*.03.	16	
	2. Similar suits against Opium Agents or their officers only admissible under similar provisions.	13.16.	18		—	—		—	—	
	3. During the manufacturing season (from the month *Kartik* till *Asar)* any labourer, *molunghee,* or other person employed in the salt manufacture, deeming himself aggrieved by some order or act of the Agent, (not being an act of judicial authority,) must first apply to the Agent for redress, and on failing to obtain satisfaction, may sue the Agent in the civil court	10.19.	13	2	—	—	—	—	-	—
	Such previous application also to be made to the Salt Agent, by persons deeming themselves aggrieved by the acts of an assistant, or any inferior officer attached to the agency.			3			—			—
	No such person, until the terms and period of his engagement be completed, shall leave the place of manufacture to institute such complaints without permission from the head officer of the *aurung*, the Agent, or his assistant, but may apply for redress or institute a civil suit through a *vakeel.* ..			1			—			—
	During the month of *Sawun*, *Bhadoon* and *Asin*, (not being the manufacturing season,) such persons deeming themselves aggrieved by acts of the Salt Agents or of his officers, (not being judicial acts authorized by the regulation,) may sue in the civil court without first applying for redress to the Agent. ..	10.19.	13	7	—	—		—	-	—
Cl 2. *Rule regarding the petition.*	1 A complaint against any officer of Government being instituted, the Judge to transmit copy of the petition to the Board, to whose authority the deft. may be subject. .	2.14.	3	1	—	-	—	—	—	
	2. Should the Board decline to give the redress demanded, and leave the party to prosecute, the Judge to be so informed, and such communication to authorize proceeding in the trial of the suit. – The Board to state whether such suit is to be considered as defended on the part of Government or by the individual officer sued against (*a*)			4			—			--
	3. Such suit to be entered on the file, on the date of receiving the original petition, and to be heard in rotation accordingly.	8.16.	8		—	-		—	—	
Cl 3. *Defence of suits*	1 Commercial Residents may take upon themselves to defend suits against their officers, being themselves answerable in case of being cast. ..	31 93	18		4.05.	2		37.03.	18	
	2. Similar rule in the salt department.	10.19.	13	C						
	3 Suits against Commercial Residents removed to another station, (if not for acts on the order of the B. of Trade or of Government,) to be carried on by themselves, not by their successors; the Board, however, may desire their successors to conduct the defence of such suits: but in suits against acts under the authority of Government or the Board, the officer for the time being is always to reply. ..	31.93.	23		0.05	2		37.03	23	
	4. Similar rule in regard to Salt Agents, their assistants, and principal native officers.	10.19.	16		—	—		—	—	
	5. Similar rule also in regard to Collectors of revenue. ..	14.93.	11		6.95.	17		27.03.	11	
Cl 4. *Process.*	1. Every process to be served on a Commercial Resident in a letter to him, to be returned with his endorsement in the same manner. ..	13.93.	19		4.05.	2		37.03.	17	
	2. Similar rule in regard to Salt Agents and assistants. ..	10.19.	15		—	—		—		

* To the Doab, &c. by 8. 1805, 25.

(*a*) The decision of this matter being left to the respective Boards, the rules to the point are not analysed here.

Ch. 3. *Special Forms in particular Cases.*

		Bengal, &c.			Benares.			C. C. Provs.			
		Reg.	S.	C.	Reg.	S.	C	Reg.	S.	C.	
Sec. 1. Cl. 4.	3. Similar rule in regard to Opium Agents.	13.16.	22		—	—		—	—		
	4. Similar rule in regard to Collectors of revenue.	14.93.	38		6.95.	44		27.03.	41		
Cl 5. *Security.*	1. Security, either for appearance or costs, not to be demanded from Commercial Residents or their officers in their official capacity, Government being responsible for them, and holding them responsible for their inferior officers.	31.93.	22		4.05.	2		27.03.	22		
	2. Security not to be required from a Collector of revenue for appearance, costs, or performance of decree, unless the suit be against the Collector individually, or for sums received by him on the part of Government, and for which he is responsible: in private cases, *security to be required for costs and damages, and for the performance of decrees.* If the Collector delay to pay the amount of decrees, *it is to be levied from the surety as in other cases: if the surety be insufficient,* report to be made to Government, who, supplying the sum from the public treasury, may deduct the amount from the Collector's allowances (*b*). Collectors liable to fine for disobedience to any orders of the court: on refusal to pay, report to be made to Government.	14.93.	36		6.95.	42		27.03.	39		
Cl 6. *Public officers in Calcutta.*	Complaints against any public officers at the presidency of Calcutta, which are cognizable in a Z. or C. C., to be admitted and tried in the court of 24-Pergunnahs.	7.06.	8								
Sec. 2. Weavers, molungees, and other manufacturers. Cl 1. *Forms in suits against.*	1. Persons instituting suits against weavers, manufacturers, ofcers., or others employed in the Company's investment, to specify the employment of the deft. in the plaint; notice, with copy of the plaint, to be sent to the Commercial Resident for execution, under a sealed cover and signature of the Judge or Register.	31.93.	10	1	4.05.	2		37.03.	10	1	
	2. During the manufacturing season (from Kartik to Asar), similar rule applicable to persons employed in the salt manufacture.	10.19.	21	1	—	—	—	—	—	—	
	And to salt officers generally (*c*).		24								
	3. If the Resident be at a distance, notice to be sent to the head officer of the *aurung* or *kothee,* to which the deft. may be attached; the Resident to furnish the court with a list of officers, authorized to act on such communications.	31.93.	10	2	—	—	—	..	..	2	
	4 Similar rule for salt officers and agents.	10.19.	21	2	—	—	—	—	—	—	
	5. Commercial Residents to empower certain of their own officers and a *vakeel* of the court, to enter security for persons employed in the Company's investment when required by the court, also to furnish the Judge with a list of persons so empowered. When the Agent resides at a distance, any notice or summons may be issued through officers so empowered.	31.93.	10	2	4.05.	2		..	..	..	* To the Doab, &c. by 8. 1805, 25.
	6. Similar rule in the salt department.	10.19.	21	2	—	—	—	—	—	—	
	7. The employment of the deft. not having been specified in the plaint, and only discovered by the ofcer. serving the notice (*d*), the notice to be given to the nearest ofcer. of the department empowered to receive it; if the deft. urge such employment, and the peon of the court doubt the statement, the latter to carry him to the nearest ofcer. of the department to ascertain the point.	31.93.	10	3	—	—	—	..	..	3	
	8. Similar rule for salt ofcers., *molungees, &c.*; if the ofcer. of the court be charged to take security from the party, he shall not release him until he obtain such security.	10.19.	21	3	—	—	—	—	—	—	
Cl. 2. *Required as witnesses.*	1. Summonses to such persons to attend as wsses. to be served in the same manner through the Commercial Resident, or his authorized ofcers.; such persons not to be summoned unless absolutely required, and when attending to be discharged as soon as possible.	31.93.	10	9	—	—	—	..	..	9	
	2. Similar rules for salt ofcers., *molungees, &c.*	10.19.	21	8	—	—	—	—	—	—	
	3. Whenever the attendance of such persons, as parties or wsses., is necessary, the Judge, recording the circumstances and reasons, may order and enforce their attendance in the usual manner.	31.93.	27								
	4 Similar rules for salt ofcers., *molungees, &c.*	10.19.	10	10	4 05.	2		..	..	10	
			19	9	—	—		—	—		
			28								
Cl. 3. *Claims and decrees against*	1. Claims of Government against any weaver, employed in the investment at the time of his making private engagements with others, to be satisfied previous to the execution of any decree for breach of such engagements.	31.93.	12		—	—		..	12		
	2. The persons of weavers, &c. attachable for such claims, as soon as the claims of Government are satisfied, and they are released from Government employ.	9.01.	3								
	3. Any decree against a salt ofcer., or person engaged in that department, to be executed, during the manufacturing season, upon his property, but not by confinement of his person, unless the Salt Agent dispense with his attendance; after the manufacturing season, the Agent responsible for his appearance before the court; no property belonging to Government (not even advances) liable for the decree.	10.19.	22		—	—		—	—		
	4. The person of a salt ofcer. being at any time attached, notice to be given to the Agent previous to his removal.		29								

(*b*) By the C. O. of S. D. A. April 16, 1818, a process for recovering amount of decrees from officers of Government is prescribed similar to the above, with the exception of securities. If the decree be final, and the Collector object to pay, copy of the decree to be transmitted to the S. D. A. or a reference to be made to Government. The words printed in Italics in the above rule may be superseded by 2, 1805, 4. in original suits: but as security is still required in appeals, it is not superseded altogether. The section is not noticed in the orders of the S. D. A.

(*c*) Attention to this rule is called by the C. O. of S. D. A. May 23, 1823.

(*d*) "Summonses" being prescribed in the regulation, and "security" directed to be taken by the officer; these rules are abstracted in conformity with the modifications contained in 2. 1806.

Ch. 3. Special Forms in particular Cases.	*Bengal, &c.*			*Benares.*			*C.C. Provs.*		
	Reg.	*S.*	*C.*	*Reg.*	*S.*	*C.*	*Reg.*	*S.*	*C.*
Sec. 2. Cl. 4. *Summary process against.* 1. Weavers, &c. not liable to summary process of arrest and confinement for arrears of rent, until released from Government engagement; persons to whom arrears may be due from such persons, may distrain their property, or institute a suit in court, or apply to the Resident, who may stop the amount by instalments out of future advances. No implement of manufacture to be sold for arrears.	9 01.	3							
2. Similar rule for *molungees, &c.*	31.93.	9		4.05.	2		37.03.	9	
	10.19.	20	2	—	—	—	—	—	—
Cl 5. *Silk manufacturers.* All these rules applicable to silk manufacturers, and all persons employed in the investment.	31.93.	14		—	—		37.03.	14	
Cl. 6. *Suits by, for compulsion, &c.* 1. Complaints on the part of weavers, &c against individual traders, and *vice versâ*, to be tried as common suits; in case of many engagements between the parties, the court to pass judgment according to priority.	31.93.	11		—	—		..	11	
2. Any *molungee* or other person suing the Salt Agent, and proving that he was compelled to take advances, the engagement to be declared null and void; the advances to be returned; and equitable costs and damages to be adjudged against the Agent.	10.19.	8		—	—		—	—	
3. Similar rule in regard to assistants and other European or native officers of Salt Agents; the court always to report the circumstances of such compulsion to the Board of Salt and Opium.		9		—	—		—	—	
4. Similar rules for persons having taken engagements using compulsion against labourers, &c.		11		—	—		—	—	
5. Covenanted and uncovenanted assistants and principal officers of *aurungs* responsible for compulsion exerted by their *peons* and other inferior officers, unless it be proved that the act was done without their knowledge or connivance, and that they offered to redress the injury sustained; such inferior officers liable to costs and damages on conviction.	10.19.	10		—	—		—	—	
6. Courts to consider receipts for advances (when filed) as *primâ facie* evidence against compulsion, which must be clearly proved by satisfactory testimony previous to giving any release from engagements.		14		—	—		—	—	

	Throughout all the Provinces.		
	Reg.	*S.*	*C.*
Sec. 3. Paupers. Cl. 1. *Pauper p'ain-stiff and their suits.* 1. Suits not to be admitted *in formâ pauperis*, unless for an amount exceeding 64 Rs.	28. 14.	3	
2. *Paupers* not allowed to sue for damages on account of cast or any personal injury.		4	
3. Persons desiring to sue as *paupers* to present a petition on paper of 8 As. stamp in person; females of rank may present such petition through an agent duly authorized.		5	1
4. The petition to state the grounds of the demand, the value of the thing claimed, and names of parties sued; together with a statement of petitioner's property in effects and value.			2
5. The petitioner to be examined on oath or solemn declaration, as to his circumstances and property;—the agents of females of rank to be so examined also.			3
6. Petitioner to be admonished by the court, that any fraudulent statement upon oath will incur all the penalties of perjury.			4
7. If the court doubt the petitioner's statement, notice to be given for the adverse party to disprove the pff.'s poverty, or wsses. to be summoned, or local inquiry to be instituted, as the court may think proper. ..			6
8. If such examination convince the court, that the petitioner has sufficient property to defray the expenses of suit, or has disposed of property, with a view to avoid such expenses, his petition and plea of poverty to be rejected.			5
9. If from such inquiry the petitioner be convicted of wilful perjury, he is to be committed for trial to the court of circuit; his petition to be rejected; or his plaint nonsuited, if previously admitted.			7
10. On poverty being established, a plaint *in formâ pauperis* to be admitted, on the pff.'s finding two sureties for attendance when required.		6	1
11. Suits of paupers referable for trial to *sudder ameens*.	13. 24.	4	2
12. Paupers not being able to conduct their own suits, or to induce *vakeels* to undertake their cause, the court may appoint any regular *vakeel* for the purpose; no deposit for fees necessary.	28. 14.	7	1
13. The court to record this appointment: *vakeels* may plead without *vakalutnamah*.			2
14. Stamp duty being remitted to paupers, their pleadings, petitions, and copies of decrees (required in proof) to be received on plain paper; processes to be served without charge.		8	
15. On decision of the suit, all costs incurred by, but remitted to, the pauper pff. to be inserted in the decree, and charged against the party cast, or as the court shall adjudge.		9	
16. If the pff. gain his suit, the deft. to pay the fees of the *vakeel*, or such part as the court shall adjudge. ..		10	1
17. If the pff. be cast, the deft. to pay to his own pleader such part of the regular fees as the court shall think an equitable compensation; the remainder to be realized from any property that may thereafter appear as belonging to the pff. *(See Ch. 7, s. 6, cl. 3, 4.)*			2
18. If the pff.'s suit be dismissed as vexatious and unfounded, and he do not pay the fees and costs, the court may sentence him to six months' confinement in the civil jail.		11	1

Ch. 3. *Special Forms in particular Cases.*	Throughout all the Provinces. Reg	S	C.
Sec. 3. Cl. 1. 19. Such confinement to be immediate, and not to be delayed on the plea of a desire to appeal; but the *pauper*, so confined, to be released, at any time, on paying the amount of costs charged to him in the decree. ..	28. 14.	11	2
20. If the pff. abscond to avoid confinement, the sureties, on not producing him, to discharge all such costs, or on failure to do so, liable to six months' confinement in the civil jail.			3
21. Besides confinement of pff. or his sureties, the court may at any time order the sale of property belonging to the pff. for the amount of costs, whether due to Government or to the deft.			4
Cl. 2. *Appeals by Paupers.* 1. Any party in an original suit desiring to appeal *in formâ pauperis* may present a petition, as prescribed in Sec. 5. of this regulation, *(or cl. 1. of this Chapter.)*		12	1
2. Such petition to be accompanied by a copy of the decree, and shall contain all the particulars prescribed in clause second, Sec. 5. of the regulation.			2
3. Unless the original judgment appear erroneous or unjust, the petition to be rejected.			3
4. The party may nevertheless institute a regular appeal, paying the usual costs and duty.			4
5. The court may admit the appeal, if it deem the suit worthy of further investigation; in such case all the above rules of form, expenses, and penalties applicable to appellant paupers.		13	
6. Defts. appealing against decrees gained by pauper pffs., if the execution of the decree be suspended, the latter to be admitted to respond as a pauper, without inquiry.		14	
7. If the original decree gained by a pauper pff. be reversed on appeal, the stamp duty to be returned to the appt. and such portion of the pleader's fees as the court shall adjudge; the remainder to be realized from any property belonging to the pauper respt.		15	
8. Paupers allowed to appeal specially *in formâ pauperis*.	2. 25.	6	
9. All the above rules applicable to petitions of paupers, desiring to institute either special or summary appeals. ..		5	
10. In appeals from the S. D. A. to the King in Council, copies of decrees to be given to paupers on unstampt paper of English manufacture.	28. 14.	18	
Cl 3. *Pauper Defendants and Respondents.* 1. If a deft. in any original suit, or a respt. in any appealed suit, desire to plead as a pauper, he shall present the prescribed petition in person, or by an authorized agent.		16	1
2. The prescribed rules of form, examination, &c. applicable to such persons.			2
3. The plea of poverty being proved and admitted, the court may grant such defts. all the advantages prescribed (as above) to pauper pffs., in the conduct of their defence.			3
Cl 4. *Miscellaneous Petitions.* 1. Miscellaneous petitions from persons professing themselves to be paupers not to be received on unstampt paper.		19	
2. *Exception.*—Persons in confinement in the civil jail, may present petitions to the judge on unstampt paper. ..	4. 16.	2	
Sec. 4 Native officers and soldiers. Cl. 1. *Institution of suits by.* 1. Any native officer or soldier, desirous of instituting a regular or summary suit in a civil court, but who cannot obtain furlough for the purpose, to execute a power of attorney appointing some agent to supply his place, and conduct the suit *(e.)*	15. 16.	3	1
2. Such *moktarnamahs* to be executed in the presence of their Commanding Officers, and not required to be on stampt paper.			2
3. The *moktarnamah* to be transmitted to the Register of the court; on its reception notice to be issued for the attendance of the person nominated as *moktar*.			3
4. Such person refusing or being unable to attend personally or by *vakeel*, the circumstance to be reported to the native officer or soldier, through his Commandmg Officer.			4
5. If the *moktar* attend in person or by *vakeel*, and consent to undertake the commission, the suit to proceed upon the general rules; copy of the decree when passed to be sent by the Register to the original pff through his Commanding Officer.			5
6. These rules not applicable to loans or commercial transactions amongst native officers or soldiers themselves. ..			6
Cl. 2. *Suits against.* 1. In suits against native officers or soldiers absent with their corps, the plaint to specify the corps to which the deft. is attached, and its place of cantonment: if the pff. be unable to do so, the court to make such inquiry as may be practicable and expedient.		4	1
2. Pff. neglecting to specify these particulars liable to a fine not above one-fourth of the stampt duty paid on institution of the suit; copy of the plaint with the usual notice to be transmitted by the Register to the Commanding officer of the corps to which deft. is attached.			2
3. The Commanding Officer to serve the notice, and return it with a *moktarnamah* on the part of the deft. if he desire to send one; if the notice cannot be served the court, on being so informed, must act discretionally, according to the circumstances of the case.			3
Cl. 3. *Furlough being obtained, conduct of suits.* 1. Any native officer or soldier obtaining furlough for the purpose of instituting or defending a civil suit, to bring to the Register an official letter from the Commanding Officer, certifying his extent of leave, but containing no matter connected with the suit.		5	1
2. On presentation of such a letter in person, the court may, at the request of the party, nominate a *vakeel* to conduct his cause, and inform the party of the rate of fees.			2
3. Such person, however, perfectly at liberty to conduct his own cause, or appoint his own *vakeel*. ..		6	
4. Suits of this kind, the party being in attendance, to be decided without delay.		7	1
5. If the suit cannot be decided within the furlough granted to the party; the Judge or Register may grant an extension of leave, reporting the same for confirmation to the Commanding Officer.			2

(e) The C. O. of 8 D. A. January 29, 1817, communicate the decision of Government, that the rules of Reg. XV. 1816, apply to the Invalid battalions.

Ch. 3. Special Forms in particular Cases.		*Throughout all the Provinces.*		
		Reg.	*S.*	*C.*
Sec. 4. Cl. 3.	6. If the native officer or soldier be obliged to join his corps before the suit be decided, he may either leave a qualified *moktar* or an authorized *vakeel* to conduct his suit; copy of decree in such case to be transmitted to him, through his Commanding Officer.	15. 16.	7	3
Cl. 4. *Decrees against*	1. Any land or property of a native soldier or officer being attached by a civil court, pursuant to judgment of court, notice to be sent to the party (as above), and the sale not to take place till after such a period as might enable the party to discharge the amount.		8	
	2. Commanding Officers of corps not to correspond with civil Judges, on the subject of decrees passed under the above rules.		10	1
Cl. 5. *General Rule.*	1. These rules are exclusively applicable to native soldiers and officers, attached to regular corps, and actually on the strength of the army.			2
Cl 6. *Actions for debt.*	1. Actions of debt not exceeding 200 Rs. Sa. against any officer, soldier, or regular retainer of the army, to be only cognizable by a military court.	20. 10.	22	
	2. Actions of debt to any amount not above 400 Rs. against officers, soldiers, persons attached to the army, being British subjects, to be cognizable by a court of requests, composed of military officers or soldiers. ..	20. 25.	4	1
	3. Civil actions for a greater amount against such persons, cognizable by the local civil courts. . ..			3
	4 No process of arrest before judgment shall issue from any civil court against any person residing or trading within the precincts of a cantonment, unless it be stated in the plaint, that the cause of action exceeds 200 Sa. Rs., or unless the debtor be not a registered resident within military limits, or though registered has not for three months previous carried on the occupation for which he is registered. Such statement being made, the Judge to endorse the process accordingly, such process to be served through the Commanding Officer, but the deft may be arrested by the civil officer if found beyond cantonments;—if the pff. do not prove his statement in the course of the trial, he is to be nonsuited with costs.	20. 10.	24	
	5. Similar rules with regard to persons attached to a military bazar; any such person being arrested on a civil process, not properly endorsed, to be released, on the Commanding Officer giving a certificate that he was a registered follower, and followed his trade in the cantonments; the pff., however, may proceed in his suit...		25	
	6. Military courts giving decrees against *sepoys, &c.* and not finding property whereon to execute the award within their jurisdiction, may refer the execution to Z. and C. C. which are hereby authorized and directed to enforce the same, whenever application may be made to them, within three months from the date of the award.	5. 28.	2	
Sec 5. Native Princes Cl. 1 *Native Princes generally.*	1. Native princes, residing within or without the British territories, and having claims cognizable in the Z. or C. C., may be authorized by the Gov. Gen. in C. to institute suits, through the medium of the public officers in those courts.	4. 16.	2	1
	2. Suits being instituted against native princes may be defended by the public officers, on the authority and order of Government.			2
	3. Such suits generally in either the Z. or C. C. or the provincial courts to be conducted and defended by the Collectors and *vakeels* of Government in the S. D. A under the authority of the Boards of Revenue. ..		3	
	4. Besides the usual copies of decrees given to parties, the Judge to transmit a summary of his decision in such cases to the judicial secretary to Government.		4	
Cl 2. *The Nazim of Bengal.*	1 The officer in charge of the affairs of the Nizamut at Moorshedabad on the part of the Gov. Gen. in C. competent to institute suits in the civil court on the part of His Highness the Nazim, and to conduct them as pff. or appt. as may appear proper.	19. 25.	2	
	2. Suits being instituted against His Highness, notice to be issued upon the Agent to the Governor General, who shall conduct the defence of the suit.		3	
	3. Security not to be demanded from His Highness, and process of attachment never to be issued either against His Highness or the Governor General's Agent. But after issuing an order on the Agent for the payment of costs, damages, or any sums of money, or for the delivery of lands, should needless delay arise, the court may send a copy and translation of the decree for the orders of the Gov. Gen. in C. through the secretary in the Persian department.		4	
	(For references to and correspondence with His Highness, see Ch. 1, s. 3, cl. 2, and Ch. 1. s. 10 2.)			
Sec. 6 Residents of Calcutta.	1. Residents of Calcutta, who may desire to institute or defend suits in the Z. or C. C., to furnish security for the payment of all eventual costs, by surety or sureties, possessing property out of Calcutta: such security not being furnished within six weeks, the case to be tried *ex parte*, on the statement and proofs of the opposite party, and the plea of such persons whether pffs. or defts. not to be heard; the period of six weeks to commence from the date of filing the plaint if the party sue, and from the date of serving notice on him, if he be sued; no appeal to be admitted from such decision, until all costs of the former suit have been discharged by the appt.	9. 19.	7	1
	2. These rules applicable to any persons becoming residents in Calcutta, pending any such suit or appeal. ..			2
	3. These provisions not applicable to pauper suitors.			3
Sec 7. Invalids.	1. All differences with regard to the lands of invalids to be settled in the civil court.	1. 04.	9	7
	2. Collectors may require the Government *vakeel* to plead the causes of invalids, free of cost.		14	

Ch. 3. Special Forms in particular Cases.

		Throughout all the Provinces. Rep	&.	C.
Sec. 7.	3. Civil courts not to receive the complaints of invalids struck off the list for not having been present at the time of inspection.	1.04.	18	
	4. In suits against the heirs of invalids by *zemindars*, the civil courts to be guided by the adjustments made by the collectors under the provisions of Reg. II 1818.	11. 18.	4	
	5 All assignments, bargains, sales, or contracts of any kind made by invalids with regard to money which may become due in the shape of pensions, to be null and void; but such contract for pensions paid before or on the date of such contracts to be valid.	13 14.	3	
Sec 8 General rule for attachments by courts.	1 Whenever the Z or C C. may deem it proper to put landed property under administration or management, they shall direct the Collector by precept to hold the lands under attachment, and to appoint a manager for the same, who shall give security for the trust; any person interested in the lands, being dissatisfied with the selection of a manager, may petition the B. of Revenue, who will annul or confirm the appointment as may appear proper, ...	5.27.	3	
	2 The precept of the court shall specifically state the property to be attached · the attachment not to be withdrawn without a further precept, ...		4	

CHAPTER IV.

PRINCIPLES OF LAW IN MATTERS OF CIVIL COGNIZANCE.

		Bengal, &c.			Benares.			C. C. Provs.		
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.
Sec. 1. Rates of interest.	Courts of civil judicature to decree interest according to the following rules.									
Cl. 1. *In Bengal, &c.*	1. In Bengal, Behar, and Orissa, (excluding Cuttack,) if the cause of action has arisen before the 28th March 1780, on sums not exceeding 100 Sa. Rs. interest at 3 Rs. 2 As. per month to be allowed, or 37 Rs. 8 As. per annum. ..	15.93.	2	1 2						
	On sums exceeding 100 Sa. Rs. 2 per cent. per mensem, or 24 per cent. per annum.			3						
	2. If the cause of action has arisen between the 28th March, 1780, and the 1st January 1793, on sums not exceeding 100 Sa. Rs. 2 per cent. per mensem, or 24 per cent. per annum.		3	1 2						
	On sums exceeding 100 Sa. Rs. 1 per cent. per mensem, or 12 per cent. per annum.			3						
	3. If the cause of action arose on or after the 1st January 1793, no interest to be decreed at a higher rate than 12 per cent. per annum.			4						
Cl. 2. *In Benares.*	1. In the province of Benares, if the cause of action has arisen previous to the 1st January, 1807, the courts to decree the rate of interest stipulated in any agreement, or, if no stipulation has been made, according to the law and usage of the country.				17.06.	3				
	2. If the cause of action arose on or after the 1st January 1807, no interest to be decreed above the rate of 1 per cent. per mensem, or 12 per cent. per annum. ..					4				
Cl. 3. *In the C. C. Provinces.*	1. In the ceded and conquered provinces of Oude, if the cause of action has arisen before the 10th November, 1801, on sums not exceeding 100 Sa. Rs. interest to be allowed at the rate of 2 Rs. 8 As. a month, or 30 per cent. per annum. ..							34.03.	2	1 2
	On sums exceeding 100 Sa. Rs. 2 per cent. per mensem, or 24 per cent. per annum.									3
	2. If the cause of action has arisen on or after the 10th November, 1801, no interest to be decreed at a higher rate than 12 per cent. per annum.								3	
	3. These rules and rates applicable to the districts in the Doab and on the right bank of the Jumna with Bundlekund, supplying the following dates, viz. the 16th December, 1803, for Bundlekund, and the 30th December 1803, for the other districts in lieu of November 10, 1801.							8.05.	23	1 2
Cl. 4. *In Cuttack.*	1. In the *zillah* of Cuttack, if the cause of action arose before the 14th October 1803, no higher or lower rate of interest to be decreed than 30 per cent. per annum, on sums not exceeding 100 Sa. Rs.; or than 2 per cent. per mensem, or 24 per cent. per annum on sums exceeding 100 Sa. Rs.	14.05.	9	2						
	2. If the cause of action arose on or after the 14th October 1803, no interest to be decreed at a rate above 12 per cent. per annum.			3						
Cl. 5. *General rules.*	1. If a lower rate of interest has been stipulated between parties, decrees always to confirm such stipulations.	15.93.	5		17.06.	2		24*.03.	4	
	2. Courts forbidden to decree a greater sum for interest than the principal (*a*). ..		6			..			5	
	3. Courts not to decree compound interest arising from an intermediate adjustment of accounts, except when legal interest being consolidated with the principal, a new bond for the aggregate amount is entered into by the parties.		7			..			6	
	4. Courts not to decree any interest at all upon bonds written on, or after the earliest dates above specified, stipulating for a higher rate of interest than is made legal by the above schedule.		8						7	
	5. Courts to dismiss suits with costs against the plaintiff, when instituted on bonds (written on or before the earliest dates above specified), by persons who may in any way attempt to elude the above enactment by deduction from the original loan or otherwise.		9						8	

* To the Doab, &c. by 8. 1805, 23.

(*a*) The C. O. of S. D. A. December 19, 1823, decide, that this law shall not be applicable to interest that may have accumulated after the institution of a suit.

Ch. 4. Principles of Law in Matters of civil Cognizance.	Bengal, &c. Reg.	S.	C.	Benares. Reg.	S.	C.	C. C. Provs. Reg.	S.	C.	
Sec. 1. 6. In Benares, these two last provisions not to apply to bonds and loans contracted before the 1st January, 1807.				17.06	5					
7. P. C. A. or S. D. A., in passing judgment on suits of appeal, if the former decree be confirmed, may award interest to respondent at 1 per cent. per mensem on all sums receivable on account of the decree from the date of such decree, ..	13.96.	3		—	—		4.03.	35		
8. None of these rules to apply to respondentia loans or policies of insurance; the interest upon which to be according to the deeds and usages of the country. ..	15.93.	12		..	..		34.03.	11		
Sec. 2. Bonds and Deeds. 1. After the 28th March 1780, for Bengal, &c. the 1st July 1795, for Benares, or the 11th July 1805, for the Doab, &c. no sum to be decreed upon a bond or *tumussook*, unless proved to have been executed in the presence of two wsses. or the payment of the money or valuable consideration for it be established. The rules of the country to be followed with regard to bills of exchange, receipts, and notes of hand.	3. *93.	15		7.95.	9					* In the Doab, &c. by 8. 1805. 6, 3.
2. In the civil court at Hooghly, all former deeds executed in the settlement of Chinsura, according to the Dutch law and local usage, are to be held valid. (*See Ch.* 6, *s.* 5.)	18.25.	6		—	—		—	—		
Sec. 3. Mortgages. 1 In cases of mortgage executed prior to the above dates†, the usufruct (when so stipulated between the parties) to be in lieu of interest on the bond; after the above dates, legal interest to be allowed on all mortgage bonds for real property, and mortgages to be considered cancelled, whenever the principal, with simple interest due thereon, shall have been realized from the usufruct of the property, if not otherwise liquidated by the mortgagers.	15.93.	10		17.06.	5		34.03.	9		† See the section on interest.
Exception.—In Benares this provision not to be applied retrospectively, in opposition to voluntary engagements entered into before the 1st January 1807.										
2. In the adjustment of accounts before a civil court, the mortgagee to be required to file accounts of all his receipts and expenses in management of the property; and to make oath, or depose on a solemn declaration, to their correctness; objections to be heard in court and accounts to be adjusted, after the examination of evidence.	..	..			..			10		
3. Whenever the mortgagee has obtained possession any time before foreclosure of the mortgage, or if he has not obtained and shall make application to the civil court for the foreclosure of the mortgage, the mortager to be held as redeeming his mortgage, if he tender the balance due to the mortgagee, or deposit the same in court, within one year from the date of such application‡ on the part of the mortgagee.	17.06.	7		—	—		—	—		‡ In the next section "within one year from the date of the notification" is prescribed · perhaps as the words, "in conformity with Sec. 3. of this regulation," are added, the same date may be applicable here.
4. Whenever the holder of a mortgage or any conditional sale (*See Sec.* 4) may desire to foreclose the mortgage, or make the sale conclusive, (the term stipulated being expired,) he may, after demanding payment in vain, apply by petition in person, or by *vakeel*, to the Z. or C. C. of the jurisdiction, wherein the property lies; on receiving such a petition, a *perwannah* of notification to be sent to the deft., that if he do not redeem the pledge within one year from the date of such notification, the mortgage will be foreclosed and the sale completed *(b)* (*c*) (*See. Ch.* 2, *s.* 1, *Cl.* 2, 18.		8			—			—		
Sec. 4. Conditional Sales. 1. Persons having borrowed money on deeds of *bye-bil-wuffa*, or any conditional sale of land, however denominated, may reclaim the land either by repaying the amount to the lender, or by depositing the sum due in court within the stipulated period; a dated receipt to be given for such deposit by the Judge, a written notice of the deposit to be delivered to the lender by the depositer, and the sum to be given to the lender, on his surrendering the deed and giving an acknowledgement for the money. If the lender has not obtained possession of the land, deposit to be made of the principal, with interest at 12 per cent. per annum, whether stipulated or not; if he has obtained possession of the lands, the principal only to be deposited; adjustment of accounts between the interest and usufruct to be made. If a less sum than required be deposited, on plea that it is the whole due, it is to be received and the notice to be issued; but the borrower not to recover his lands, until it be established, that he has deposited the whole due (*d*).	1.98.	2		—	—		31‖.03.	12		‖ To Doab, &c. by 8. 1805. 23.
2. When the lender may have held possession of the lands, he is to account for the proceeds of the estate during his possession, on the principles prescribed for mortgages, excepting only that the usufruct is not to be taken in payment of the principal.		3			—			13		
3. A *teep* not to be held as sufficient proof of the loan having been discharged, unless confirmed by the acknowledgment of the lender, and the surrender of the bill of sale.		4			—			14		
4. The above rules not to infringe upon the terms of any legal contract between parties.		5			—			15		

(*b*) See the C. O. of S. D. A. July 22, 1813, which interpret the duties of the Judge in such cases to be merely ministerial and executive, only as to the foreclosure or redemption of the mortgage or conditional sale; and that no transfer of possession is to be made by the court's authority after such summary proceedings before it.

(*c*) By the C. O. of S. D. A. April 9, 1817, it is explained that the period of one year is to commence from the date of the notification, not from the day of its being served on the deft.; and it is enjoined that *perwanahs* should be dated from the day of issuing, not of ordering them.

(*d*) By the C. O. of S. D. A. July 22, 1813, it is explained, that courts are empowered summarily to transfer possession under the authority of this section.

Ch. 4. Principles of Law in Matters of civil Cognizance

		Bengal, &c.			Benares.			C.C. Provs.			
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.	
Sec. 5. Lakhiraj Tenures. Cl. 1. *Suits concerning.*	1. Landholders whose lands have been assessed according to Reg. II 1819, entitled to sue against the resumption within one year after being informed of the decision of the B. of Revenue. Suits may be admitted after such period, sufficient cause for delay being shown.	2. 19.	24	1 2	—	—	—	—	—	—	
	In such suits, on giving security to the Collector for the *jumma* finally assessable (or a portion of it), and engaging to institute a suit within 10 days from date of the security, the party to retain possession as before.		22	1 2		—	—	—	—	—	
	The court competent to desire the Collector to admit such security if he refuse to do so; but the B. of Revenue to decide for what amount the security is to be held bound. ..			3		—	—				
	If the annual produce of such lands do not exceed 500 Rs. such suits cognizable in the Z. or C. C., otherwise only in P. C.		25			—			—		
	In such suits, accounts not brought forward before the revenue officer during his investigation not to be admitted as evidence, unless sufficient cause for having withheld them, which cause was previously stated to the revenue officer, or the omission duly accounted for, be adduced.		13	2		—	—		—	—	
	The plaintin such cases to be on paper of one Rupee stamp; but should Government obtain judgment, pff. to be answerable for the amount of stamp duty payable in ordinary suits.		27			—			—		
	Such suits to be tried as regular appeals; no further pleadings to be required than the objection of appt. to the decision of the Board, and the reply thereto; the court to send for the Board's proceedings, and not to take further evidence, oral or documentary, unless such have been rejected by the Board, or be essential to the case.	3. 28.	10	3							
	Nothing in the above rule to bar regular and special appeals from the decisions of courts. *(See Ch. 12 and 13.)*		4								
	Such suits to be registered on a separate file, and the first day in each week to be dedicated to their trial.		5								
	2. Landholders who may deem themselves entitled to revenue from lands not exceeding 100 *beeghas* hitherto held *lakhiraj*, to institute a suit for the recovery of the same in the civil court, and are liable to be sued for damages if they assess the same without a judicial decree; if the estates be held *khas*, the persons receiving collections entitled so to sue; if held by Government, the *tehsildars* to sue under direction of the Collector.	19. 93.	11		41*·95.	11					* In this enactment for Benares the limit is 50 *beeghas*
	3. Questions regarding the proprietary right of lands included in *badshahee* grants to be determined in the civil court.	37. 93.	4		42. 95.	4		36. 03.	14		To the Doab by 8, 1805. 24.
	(For reference to Collector in such suits, see Ch. 1, Sec. 9, Cl. 4, 4.)										
Cl. 2. *Deeds of Grant.*	1. Validity of *firmauns* and grants to be carefully ascertained, and not to be received in court on the credit of the seal and attestations, without corroborating external evidence, all attainable records to be examined, and procurable witnesses to be summoned.	2. 19.	28	1	—	—	—	—	—	—	
	2. No document of the kind to be received or held valid unless proved to have been registered, or sufficient reason be given for such neglect.			2		—				—	
	Grants not registered within one year after the date of the proclamation, *(see the Reg.)* or nor admitted after that date by the Gov. Gen. in C. to be held invalid. ..	19. 93.	27		41. 95.	27		31†·03.	22		† To the Doab, &c. by 8, 1805. 21.
	Similar rule for *badshahee* grants.	37. 93.	22		42. 95.	22		36. 03.	22		
Cl. 3. *Power to confer.*	No power having authority to grant or confirm *lakhiraj* tenures (excepting the confirmation of such by courts of judicature) besides the supreme Government, no act, order, or decision, granting or confirming such tenure, after the date of annexing the respective territories to the British dominions, to be held valid, unless issued or passed by the Gov. Gen. in C., or by some officer properly authorised, or by a court of judicature in confirmation of such grants, or by the Bd of Revenue acting according to Reg. II. 1819. A previous order of Government or other authority relinquishing or postponing the right of assessment, not to bar the assessment of such lands held under an invalid grant or tenure.	14. 25.	2		—	—		—	—		
Cl. 4. *Right from long Possession.*	1. *Lakhiraj* grants, by which possession of land has been held uninterrupted from a time preceding the following dates, to be held valid without evidence to the grant, and to be confirmed to heirs when the nature of the tenure is hereditary, according to the custom of the country.		3	2		—	—		—	—	
	Dates. In Bengal, Behar, and Orissa (excluding Cuttack), August 12, 1765.										
	In Cuttack, (including Puttaspore, &c.) October 14, 1791.										
	In the province of Benares, July 1, 1775.										
	In the provinces ceded by the Nuwab Vizier, in 1801, Nov. 10, 1789.										
	In the provinces ceded by the Peishwa and Scindia, in 1803, January 1792.										

Ch. 4. Principles of Law in Matters of civil Cognizance.	Bengal, &c. Reg.	S.	C.	Benares. Reg.	S.	C.	C. C. Provs. Reg.	S	C.
Sec. 5. Cl. 4. In the *Pergunnah* Khanda, &c. ceded by Gobind Rai in 1817. Nov. 1 1805*.									
2. This rule not applicable to tenures derived from *jaghiredars*, or others who only held lands free of assessment, on temporary, or conditional tenures; in such cases parcels of land to follow the condition of the principal estate.	14. 25.	3	2	—	—	—	—	—	—
3. Proof of possession and hereditary right to be advanced by parties claiming the tenures.			3			—			—
4. Although many successions in the tenure may have taken place, the title to inheritance is only to be established by the terms of the tenure itself, or by the admission of the Gov. Gen. in C. on a reference to be made for the purpose†. ..	.. / 19.93.	.. / 2	4 / 5			—			—
Cl. 5. *Former power to confer.* 1. The following potentates alone to be recognizable as possessing supreme power previous to the extension of British dominion over the respective territories; the Kings of Delhi; the Soobadars of Bengal, Behar, and Orissa; the Nuwabs of Furruckabad (as by Reg. XLII. 1795, and XXXVI. 1803); the Raja of Berar in Cuttack (by Reg. XII. 1805); Dowlut Rao Scindia and his predecessors in the Doab; the Peishwa and his officers in Bundlecund (by VIII. 1805); and in the territory ceded by Gobind Rao, Raja Chuttersaul and his predecessors until 1802, after which date the Peishwa. If any pff. produce a grant under other authority which, it is urged, was vested with supreme power for the time being, the plea appearing well founded, the court will submit the case to the Gov. Gen. in C. ..	14. 25.	3	5	—	—	—	—	—	—
2. Grants made or confirmed by any of the above powers not to be held valid, 1st. Unless made and confirmed while the granting authority held the supreme power within the territory of which the lands are a part; 2nd. Unless the grantee actually obtained possession of the lands; 3d. Unless the grant shall not have been resumed by the Government previous to the British accession, or, if resumed, the authority of the officer resuming shall have been disallowed by the Gov. Gen. in C. .. (For the dates of accession, *See Ch. 2, s. 1, cl. 2.*)			6			—			—
Cl. 6. *Grants not from the Supreme Power.* That grants not made or confirmed by the supreme power, (always excepting tenures of long possession as specified in cl. 4.) should be valid, it is necessary, 1st. That they were made or confirmed by some authority directly acknowledged by the Gov. Gen. in C. as competent. 2d. That the grantee actually obtained possession, and that the revenue was not subsequently resumed by competent authority. ..			8			—			—
Cl. 7. *Reference to the Gov. Gen. in C.* Provided that, if *lakhiraj* lands have been resumed previous to the British accession, the competency of the officer resuming to be decided by the Gov. Gen. in C.; also the validity of grants by officers subordinate to the supreme power or the legal effect of resumption, in cases unspecified in the regulations, to be referred by the civil courts to the Gov. Gen. in C.			9			—			—
Cl. 8. *Exception.* None of the above provisions applicable to lands not exceeding 10 *beeghas*, the produce of which is appropriated to religious purposes‡.			4			—			—
Cl. 9. *Former judicial decisions.* Decisions already passed by civil courts in opposition to the principles here specified, open to revision in the same courts or to a regular or special appeal, if preferred within one year after the promulgation of this regulation (date of regulation July 22, 1825). A majority of Judges in any P. C. competent to admit such petition for review, although the original decision were not passed by either of such Judges.			5			—			—
Cl. 10. *Transfer of Grants.* 1. Grants declared valid as above, are transferable by gift, sale, or otherwise; persons succeeding to such to register their names in the offices of the Collector within six months after so succeeding.—Purchasers obtaining such to incur the risk of their validity.	19. 93.	20		41. 95.	20		31. 03.	15	
2. Similar rule for *badshahy* grants, &c.	37. 93.	15		42. 95.	15		36. 03.	15	
Cl. 11. *Fraudulent Deeds.* 1. Grants forged, antedated, or in any way altered, to be null and void. ..	19. 93.	17		41. 95.	17		31. 03.	12	
2. Persons concerned in such fraud liable to a criminal prosecution. ..		18			18			13	
Cl. 12. *Jaghires.* 1. *Jaghires* to be considered as life tenures, unless otherwise specified in the grant.	37. 93.	15		42. 95.	15		36. 03.	15	
2. *Jaghires* not to be held as life tenures when the grant clearly conveys an hereditary interest, and not to be considered hereditary or perpetual, unless the grant expressly confer such.	3. 28.	12		—	—		—	—	

* These dates do not agree with the several dates prescribed for the limitation of suits See Ch. 2, s. 1, cl. 2.

† In these sections of 14. 1825, the principal enactments of the following regulations are combined with modifications—19 and 37 of 1793, 41 and 42 of 1795, 31 and 36 of 1803, and 12 of 1805.

‡ The previous regulations prescribe further, "that if the assessment of lands exceeding 10 *beeghas* in measurement would produce distress, the court may report the circumstances to the Gov. Gen. in C. See 19. 1793, s. 4. &c.

Ch. 4. Principles of Law in Matters of civil Cognizance.	Bengal, &c.			Benares.			W. C. Provs			
	Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.	
Sec. 5. Cl 13. *Life Tenures* 1. Courts not to adjudge to any other than the original grantee the possession of any lands free of revenue, which lands were given only for a life tenure, either by a specific writing, or by a transfer recognized to convey no more than a life tenure in the usages of the country.	19. 93.	2	3	41. 95.	2	3	31. 03.	2	4	
2. Similar rule with regard to royal grants.	37. 93.	2	4	42. 95.	2	4	36. 03.	2	4	
3. Nor to entitle heirs under similar circumstances to possess lands only held exempt from revenue by a grant for life to their predecessors.	19. 93.	2	4	41. 95	2	4	31. 03.	2	5	
4. Similar rule with regard to royal grants.	37. 93.	2	5	42. 95.	2	5	36. 03.	2	5	
5. Transfers of such lands for a longer period than the life of the grantee to be illegal and invalid, (unless the grant shall have previously been made hereditary by the confirmation of Government.)	19. 93.	2	5	41. 95.	2	5	31. 03.	2	6	
6. Similar rule with regard to royal grants for life. .. .. .. *(See further, Sec. 16 of this Chapter.)*	37. 93.	2	6	42. 95.	2	6	36. 03.	2	6	Similar enactments for Cuttack, in 13. 1805, 18 & 26.

	Throughout all the Provinces.		
	Reg.	S.	C.
Sec. 6. Sales of Land for Public Revenue. The conditions of the validity of a public sale for arrears of revenue are the following:	11. 22.	5	
Cl 1. *Conditions necessary to the validity of sales.* 1. That the lands sold form the estate, or a portion of the estate on account of which the arrear has accrued, and are liable to sale according to the principles of this regulation, or that they are the property of the defaulter or his surety, or as such were pledged for the demand.			1
2. That permission to make the sale shall have been received from the B. of Revenue previously to the day of sale.			
3. That due notice of the demand and of the intended sale, as well as the time and place of sale, was given as provided in the regulation.			
4. That some part of the amount demanded in the notice, or of the interest payable thereupon, was due when the lot was put up.			4
5. That the sale be made at the time and place advertized, or with due publicity and freedom. ..			5
6. Sales of land not to be annulled on the ground of any informality or omission in communications between the B. of Revenue and Collectors, so that authority to sell had been given.		6	3
7. Sales not to be annulled on the ground of insufficient notice, if such notice was received by the court thirty days before the sale; and another received by the parties, their managers or agents at court, 20 days previous to the sale, or of it be otherwise proved that the parties were fully aware of the demand, and of the intended sale 20 days previous.		7	4
Exception.—Notice to a native officer or *sepoy* to be sent through his commanding officer.	15. 16	9	1
Notice of postponed sales, (except when postponed for any alteration in the lands which require a fresh *lotbundee*,) to be stuck up in the Collector's *cutcherree* and the court house.	11. 22.	8	1
8. These rules with regard to notice of sale to be held applicable by courts to sales already made (previous to this enactment) and under trial before the court.		9	
9. Sale made at the office of the B. of Revenue not to be annulled on the plea of previous payment of all demands, in the *zillah*;—unless such payment was made so many days before the sale as would have enabled the Collector to intimate the same to the Board by *dawk*.		10	2
10. Sales not to be set aside on the plea, that no arrear was due, unless such plea has been preferred to the Collector or to the B of Revenue prior to the sale, or prior to its confirmation by the Board, or unless sufficient reason be shown for such omission.			3
11. All estates being liable for arrears of revenue, no sale to be annulled on the plea, that the arrear accrued while the engager was divested of possession, either by the act of an individual or by the order of a court of judicature, or by attachment by a revenue officer.		11	
12. No sale to be annulled on account of any proceedings by the revenue authorities on the question whether or not a purchase is to be confirmed; nor is an action to lie against Government for any such proceeding. ..		17	
13. Sales not to be annulled on the plea, that some of the sharers never obtained possession of their interests in the property.	5. 12.	24	
14. Nor on the plea that the proceeds of the sale have materially exceeded the amount of the arrear due. ..		25	
Cl. 2. *Suits concerning.* 1. Sales being made and confirmed by the B. of Revenue, the former proprietors at liberty to institute a regular civil suit to contest their validity; but such pff. shall only be admitted to urge such pleas as have already been preferred to the Board, unless he satisfactorily account for the omission;—any of the above conditions being proved to have been infringed in the sale, the court competent to annul the sale. ..	11. 22.	25	
2. Such suit to be dismissed with costs if the invalidity be not established; but if it appear to the court (either in the original suit or in appeal) that from any impropriety or irregularity in the Collector's proceedings or those of his officers, the pff. has been endamaged, the court may award him equitable damages, declaring whether such damages are to fall upon Government, or the Collector individually, or any of his officers.—The court also may, in particular cases, recommend to the Gov. Gen. in C. that the estate be restored to the pff.			

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Throughout all the Provinces.

		Reg.	S.	C.	
Sec. 6. Cl. 2.	stating what compensation may be fair for the purchaser; these circumstances to be recorded in the decree: the Gov. Gen. in C. may restore the estate if he think proper.—The purchaser may appeal against such recommendation to the higher court, in which case Government will delay the final order until judgment is passed in appeal. Purchasers may also appeal against the amount of compensation recommended; in such cases the Gov. Gen. in C. may restore the estate on the compensation recommended being paid, leaving the suit to continue: in such cases pffs. to lay their claim, and pay the stamp fees according to the amount of compensation claimed in excess of the sum awarded. The estate to be held as surety for what further compensation may be adjudged in appeal	11.22.	26		Sec. 6. Cl. 2.
	3. The validity of sales to be contested by no persons who may have received any portion of the purchase money;—the proceeds of sale not liable for debts of the late proprietor while the sale is contested The excess of such proceeds remaining in the treasury, the purchaser or any other party may apply to have it vested in Government securities;—without such employment of the money, interest not to be given with the principal at the final award.	*	27	1	
	4. Estates, however, never to be restored to the former proprietor unless the whole arrear be discharged; the purchaser to be entitled to interest on his purchase money restored, recoverable from the defaulter, if it be decided that no arrear was due, Government to be answerable for the purchase money and such interest.			2	
	5. Any persons aggrieved by any act connected with sales, but not amounting to irregularity sufficient to make the sale invalid, may sue the individual aggrieving him for personal damages.		4		
	6. After a sale has been confirmed and possession given, the purchaser not to be dispossessed on the plea of illegality, except by a decree of court in a regular suit.		20	1	
	7. Any disputes between the late proprietor and new purchaser as to the actual lands sold, to be settled by a regular suit.		28	3 4	
Cl. 3. *Purchases under fictitious names.*	1. If in suits instituted by Government or an individual, it be proved in court that the defaulter was the real purchaser, or that the purchase was in any way under a fictitious name, and a decree be passed accordingly (if Government be not a party in the suit, the court to inform the Collector of the circumstance),—such offender liable to a fine by the Collector of 25 per cent. on the purchase money, the sale liable to be cancelled (if two years have not elapsed since it was made), and the purchaser to receive back only ¾ of the purchase money.			2	
	2. Similar rule in case of any revenue officer purchasing estates under fictitious names—any person being allowed to prosecute who may be induced to do so by hopes of a reward.		20	3	
Cl. 4. *Arrears from under-tenants.*	Arrears due at the time of sale from under-tenants recoverable to a defaulter by the usual civil suit, or if the defaulter transfer his claim to the new purchaser, he is entitled to sue for the same.		23		
Cl. 5. *Rights and title conveyed to auction purchasers.*	1. Any land, besides that from which the arrear has accrued, being publicly sold for such arrear, the purchaser to succeed to all rights, titles, and interests possessed by the former proprietor. Any estate being sold for arrears accrued from itself, no act of the original engager to impugn either the right of sale, or the right of the purchaser to hold the lands under the same titles as the engager held it at the time of settlement. But if Government has assumed the property and conveyed it away, after which conveyance it has come to public sale for arrears, the estate in possession of the auction purchaser is liable to the claims advanced in court, against the assumption by Government. Such estate falling in arrear, and being advertised for sale while such suit is pending, the pff. may apply to the court for possession of the same on payment of the arrear.—Notice of such application to be given to the deft. or his *vakeel*; and if the deft. fail to pay the demand by noon of the court-day preceding the day fixed for the sale, the court, receiving the amount from the pff may put him in possession, taking the securities prescribed by Reg. XIII. 1808. 11. 4. (*See Ch. 2, s. 4. cl. 2, 3.*) and issuing the proper precept to the Collector.		29		
	2. The estate sold being handed over to the auction purchaser with all rights and conditions annexed to it at the conclusion of the original settlement, posterior engagements, tenures, or alterations, which have originated with the defaulter or his predecessors, shall be liable to be avoided or annulled by the purchaser, subject only to renewals, authorized by original conditions attached to tenures at the time of settlement:—excepting leases of ground for houses and offices, gardens, tanks, canals, water courses, and the like, which are to continue in force*.		30		* This rule has superseded those contained in R. 4, 1793, 5, and R. 47, 1803, 5.
	3. To prevent abuses, the Gov. Gen. in C. reserves the power of declaring land (fallen in arrear) to be sold with all leases and conditions connected with its proprietary right at the time of default of revenue;—but should the demand not be realized by such sale, or should the future revenue become insecure, the Gov. Gen. in C. may cancel the sale (before its confirmation by the Board), and order it again to be sold without such restriction. If after confirmation of such sale the estate be again sold by auction for arrears, the Gov. Gen. in C. may direct such second sale to be without the former restriction, and dispose of any excess in the proceeds of the first above the second sale to be paid to persons, whose interests, preserved at the first purchase, may be annulled by the second.		31		
	4. No auction purchaser, however, though empowered to annul former engagements, and enhance rents, to disturb the possession of any village proprietor having hereditary property in the land, and not being party to the original engagements at the settlement of the estate; nor to eject any resident or hereditary cultivator having a right of occupancy; nor to demand higher rent from such under-tenants than were paid to the former *malguzar*, unless the terms of their engagements had undergone abatement from still earlier stipulations, by favour or such incident, or unless, from the customs of the country, such tenants may be liable to enhancement of rents. ..		32		

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		Throughout all the Provinces.			
		Reg.	S.	C.	
Sec. 6. Cl. 5.	5. Auction purchasers desirous of enhancing the rents of under-tenants to issue the notice required in Section 9, of Reg. V. 1812; nothing to exclude the tenant, having an hereditary right of occupancy, from contesting the demand, or from paying his rent as heretofore until the contrary be decided by a court of justice; and nothing to annul the right of tenants to hold rents determinable by fixed rates according to the customs of the country, (*see rule* 8.)	11. 22.	33		
	6. No purchasers at an auction sale, nor any person attaching lands on the part of Government, entitled to annul existing leases during that year in which the sale took place, even on the grounds of collusion, without a decision to that effect upon the institution of a summary suit in the civil court*.	5. 12.	4		* R. 1. 1801, 9. and R. 47. 1803, 5. are embodied in this rule
	7. Purchasers at public sales to collect agreeably to the established *pergunnah* rates, if any exist. ..		6		
	8. No cultivator or tenant liable to pay to an auction purchaser an enhanced rent, unless written engagements shall have been entered into by the parties, or unless a notice shall be served on such cultivator or tenant, on or before the month of Jeth, notifying the rent to which he will be subject for the ensuing year, ..		9		
	9. Unless such notification be duly served, no purchasers at a public sale can obtain an enhanced rent, by process of distraint, or confinement of person, or by suit in court, above what the tenant was bound to pay under previous engagements, and if more be levied, the *ryots* will be entitled to recover the excess with damages on proof before a court of justice: such notification to be served on the *ryot*, or, if he abscond, to be affixed on his place of residence.		10		
	10. Civil courts, on application from Collectors, to put auction purchasers in possession of estates under the usual process prescribed for the execution of decrees.	11. 22.	28	1	

		Bengal, &c.			Benares.			C.C. Provs.			
		Reg.	S.	C.	Reg.	S.	C	Reg.	S.	C.	
Sec. 7. Rules regarding Pottahs. Cl. 1. *Rates of Pottahs.*	1. Any disputes between under-tenants and landholders, or others empowered to give *pottahs*, regarding the rates of *pottahs*, to be determined in the civil court according to the rates for similar lands in the same *pergunnah*, or according to the legal established rights of the parties.	4. 94.	6		51 5.	9		30. 03.	9		To the Doab, &c. by 8. 1805, 20.
	2. No proprietor of land or any other person shall require *ryots*, whose *pottahs* may expire or become legally cancelled, to take new *pottahs* at higher rates than the established rates of the *pergunnah* for lands of the same quality and description; and all *ryots* are entitled to have their *pottahs* renewed at the established rates, upon applying to the person empowered to give them.		7			10		—	—		
	3. *(Addition to the rule in Benares.)* Under the preceding rule *khodcasht* or *chupperbund ryots* will be entitled to a renewal of *pottahs* at the established rates, as also *pyecasht ryots*; provided the landholder chooses to permit them still to cultivate, which they have the option to do or not, at the expiration of all *pyecasht* leases; whereas *khodcasht ryots* cannot be dispossessed as long as they continue to pay the stipulated rent.					..					
	4. No *zemindar* or other actual proprietor or farmer to demand an increase of rent, although himself subject to pay an enhanced *jumma* to Government; except upon proof that he is entitled to do so by the conditions of the tenants' tenure, or that the under-tenant, by receiving abatements from his *jumma*, has subjected himself to such increased demand, and that the lands can afford it. ..							47. 03.	2	1	
	5. Landholders liable to a penalty of double the amount, with all costs of suit, whenever it may be proved in court that they have exacted more than was due from an under-tenant.									2	
	6. When no established *pergunnah* rates exist, *pottahs* to be granted and collection made agreeably to the rates payable for lands of a similar description in the places adjacent; and in cases where the leases of any local division may be cancelled, new *pottahs* to be granted and collections made at rates not exceeding the highest rate paid for the same land, within the period of the three last years antecedent.	5. 12.	7		—	—		—	—		
	7. No *pottahs* of *khodcasht ryots* to be cancelled, except upon proof of collusion, or that the rents paid for the last three years were below the *pergunnah* standard, or that they have collusively obtained deductions, or upon a general measurement of the *pergunnah* for an equalization of assessment. This rule not to apply to Behar.	8. 93.	60	2							
	8. Any landholders exacting more than the established rates from *ryots* on account of poppy lands, on such exaction being established by a complaint in the Z. or C. C., to be liable to a penalty of three times the amount levied, besides refunding such exaction.	13. 16.	17		—	—		—	—		
Cl 2. *Cesses*	1. All impositions, such as *abwabs*, *mathotes*, *&c.* to be consolidated with the *jumma* in every *pottah*.	8. 93.	54					{27. 03. / 30. 03.	{53 / 4		
	2. Any landholders imposing any *abwab* or *mathote* upon the *ryots*, under any pretence, shall be punished by a penalty equal to three times the amount impos-										

Ch. 4. Principles of Law in Matters of civil Cognizance.	*Bengal, &c.*			*Benares.*			*C.C. Provs.*			
	Reg.	*S.*	*C.*	*Reg.*	*S.*	*C.*	*Reg.*	*S.*	*C.*	
Sec. 7. Cl. 2. ed, the penalty to be calculated according to the period during which such impositions were levied.	8. 93.	55					30.03*.	5		* To the Doab, &c. by 8. 05. 20.
Cl. 3. *Form and Contents of Pottahs.* 1. The rents to be paid by *ryots*, to be specifically stated in the *pottah*, which shall set forth the exact sum to be collected from them.		57	1					7	1	
2. In cases when the rate only can be specified, such as when the rents are adjusted upon a measurement of the lands after cultivation, or on a survey of the crop, or when they are payable in kind, the rate and terms of payment, and proportion of the crop to be delivered, with every condition, shall be clearly specified in the *pottah*.			2						2	
3. All engagements between the landholder and *ryots* shall, if such be the custom, specify the quantity of land, the species of produce, the rate of rent and amount thereof, with (in the case of farmers) the term of the lease; nothing, however, is to prevent the parties entering into agreements for specific sums and quantities of land, leaving it to the option of the *ryot* to cultivate whatever produce may yield the largest profit.		56						6		
4. All proprietors of land competent to grant leases to their under-farmers and *ryots*, and to receive correspondent engagements for the payment of rent, according to such form as the contracting parties may deem most convenient and most conducive to their respective interests; this rule not to legalize any imposition of *abwab* or other arbitrary cesses: the payment of all sums agreed upon between the parties and specified in the engagements, to be enforced by the courts. ..	5.12.	3		—	—		—	—		
5. Proprietors of land to be bound by all such restrictions as are set forth in their *kubooleyuts*, and are not contrary to the regulations. .. .	8.93.	67	1					2		
6. All sums received by proprietors of land above what is specified in the engagements, to be considered as extorted, and to be repaid with a penalty of double the amount.		52						2		
Cl. 4. *Distribution of Pottahs.* 1. Any *ryot* whose rent has been ascertained and settled, may demand a *pottah* from the landholder or his representative; any refusal to grant a *pottah*, so demanded, on proof before a civil court, to incur a fine proportionate to the expense and trouble occasioned by such refusal; no dependant *talookdars* or farmers to grant *pottahs* for terms longer than their own leases, and no agent to grant any *pottah* without authority from the proprietor.		59		51.95.	7		30.03.	11		
2. *Ryots* refusing to take *pottahs* after settlement of their rents: a notification throughout the *zemindaree*, specifying the place, and form in which *pottahs* will be given on application, and by what persons, to be deemed a legal tender; and the landholder entitled to levy his rents accordingly after such notification. ..	4.94.	5			..					
Cl. 5. *Period of Leases.* 1. Proprietors of land competent to grant leases for any period, even to perpetuity, and at any rent *(See cl. 1 of this Sec.)* most conducive to the interests of themselves and their tenants; but on persons holding restricted interests in estates to grant leases extending beyond the term of their own interest, or exceeding their authority to give.	5.12.	2		—	—		—	—		
2. In the C. C. P. no proprietor of land to grant leases or to fix the rent of any tenure for a period beyond 10 years, or, if his own engagement with Government be for less than 10 years, for any period beyond such less term.	18.12.	2		—	—		—	—		
							14.12.	2		
Any lease or engagement to take effect successively, or improperly dated, with intent to evade this prohibition, to be null and void.								3		
3. On the division of lands by private transfer or by a decree of court, all engagements to remain in force until the terms of their expiration; excepting always in cases of public sale for arrears of revenue.	18.12.	3	2	—	—	—		4		
4. Proprietors of land may grant, without sanction from Government, a lease or *pottah* to any persons, not being a British subject, or a European, for ground for any term of years, or in perpetuity for the erection of dwelling houses or buildings for manufactures, or for garden or other purposes.	44.93.	8		50.95.	7		47.03.	8		
Cl. 6. *Discharge of Rents.* 1. Landholders and farmers forbidden to demand or receive, and the *ryots* to pay, any part of the rents receivable by the former and payable by the latter, before the stipulated period of payment, according to the *kistbundee* or the local usage; no person making anticipated payments shall be entitled to credit for the amount with the officers of Government.	7.99.	23	3							

Ch. 4. Principles of Law in Matters of civil Cognizance.	*Bengal, &c.*			*Benares.*			*C. C. Provs.*		
	Reg	*S*	*C*	*Reg.*	*S.*	*C.*	*Reg.*	*S*	*C.*
Sec. 7. Cl. 6. 2. Proprietors to adjust the instalments of rent receivable from under-tenants according to the time of reaping and selling the produce; damages to be incurred by any breach of this rule, on such being established by a civil suit.	8. 93.	64							
3. Every proprietor of land and their agents of every description to give receipts for all sums received by them from under-tenants or farmers; any person to whom a receipt may have been due, shall be entitled to damages from the person who received his rent and refused to give a receipt, equal to double the sum paid by him.		63	1						
Cl. 7. *Exception for Ramghur.* The rules contained in cl. 2, 1. cl. 3, 1. 2. 3. cl. 4, 1. not applicable to such parts of *zillah* Ramghur as are situated in the province of Behar. ..	4. 94.	2							
Sec. 8. Ghautwaly tenures in Beerbhoom. 1. A settlement having been made with the *ghautwals* of Beerbhoom, they are to remain in possession of their lands, as long as they continue to pay the revenue assessed upon them; and are not liable to any enhancement of rent on the same conditions.	29. 14.	2							
2. Any *ghautwal* failing to discharge the stipulated rent, the Gov. Gen. in C. may cause his tenure to be sold by auction in satisfaction of the arrears, as if it were held of Government, or may transfer it at discretion on condition of discharging the arrear, or dispose of it in such manner as he may think fit.		5							
3. The difference between the amount of revenue assessed on the *ghautwals* and the fixed assessment on this portion of the *zemindaree*, to go to the *zemindar* of Beerbhoom.		4							
4. Any excess of revenue obtained by transfer for arrears on the authority of Government, to go to the *zemindar*.		5							

	Throughout all the Provinces.		
	Reg.	*S.*	
Sec. 9. Putnee Talooks. Cl. 1. *General Rules.* 1. All leases and engagements existing throughout Bengal, (at the time of promulgating the regulation,) for any period of years, or in perpetuity, to be good and valid, though made in contradiction to Reg. XLIV. 1793. Sec. 2, or to Reg. V. 1812; such engagements, however, still liable to cancelment on estates being sold for arrears of public revenue.	8. 19.	2	
2. *Putnee* tenures in perpetuity to be held valid: and being hereditable by their conditions are declared transferable by sale, gift, or otherwise, and answerable for debts and to the process of civil courts as personal property.		3	1
Cl. 2. *Alienation of Putnee talooks.* 1. *Putnee talookdars* may let out their lands as they may think proper; and such engagments to be binding upon the parties, their heirs, and assigns;—no such engagement, however, to prejudice the right of the *zemindar* to his rent, or to bar process for the recovery of arrears due to him.			2
2. *Putnee* tenures being so let, the holder to acquire all the rights attached to the *talooks* as far as concerned the granter;—so also in case of *talooks* of the third and fourth degree.		4	
3. *Zemindars* not to refuse registering alienations of *putnee talooks*, but may demand a fee of 2 per cent. on the annual rent,—100 Rs. being the maximum fee,—at every transfer; *zemindars* may also demand security (in amount equal to half the *jumma* of rent) for the payment of dues *(See Ch. 5, s. 12, cl. 1)*—such being the conditions of transfer (even by decree of court) except from sale for arrears of rent, when the *zemindars* may require security, but no fee.		5	
4. *Zemindars* may refuse to register such tranfer until the fee and security be produced; disputes concerning the amount of security to be settled by petitioning the civil court. These rules for fee and security only applicable to the alienation of entire interests in such *talooks*, and not of fractional portions.		6	
5. Such *talooks* being sold in conformity with judgment of court, if the purchaser fail to pay the fee and produce security within one month from the day of sale; or on being sold for arrears of rent, if the purchaser do not produce security within one month, the *zemindar* may of his own authority attach the *talook*, until these conditions be conformed to. Such attachment being considered as a deposit, surplus collections, above the *zemindar's* rent and the expense of attachment, to be held in deposit for the purchaser; but if the collections be deficient, the tenure and person of the proprietor both amenable for arrears, and the accounts of the *zemindar* sufficient to warrant process.		7	
Cl. 3. *Sale on account of arrears.* 1. Arrears of rent occurring in any *putnee talook*, the tenure or engagement not liable to cancelment, but to be brought to public sale for the demand; the holder being entitled to all excess in the proceeds above the arrears (and expenses.)		3	3
2. On the first day of Bysakh in every year, the *zemindar* to present a petition to the civil courts, and another to the collector of the district, specifying any balances that may be due for the preceding year; such account to be stuck up in the court-room, with a notification that if the amount claimed be not paid before the 1st of Jeyt following, the tenure will on that day be publicly sold; or if the 1st of Jeyt fall on a holiday, on the ensuing court day; similar notice to be stuck up in the *kutcherree* of the *zemindar*, and an extract, containing the part applicable to the *talookdar*, to be sent by him for publication in the village of the defaulter.			

Ch. 4. Principles of Law in Matters of civil Cognizance.

		Throughout all the Provinces. Reg	S.	C.
Sec. 9. Cl. 3.	Such notice to be served by a single *peon*, who shall obtain the receipt of the defaulter or of his manager on the same; or, if this cannot be procured, the attestation of three witnesses to the publication; should people refuse to attest the publication, the *peon* to make oath of such fact to the nearest *moonsiff* or *thanadar*, and obtain a certificate of such proceeding from him. If the notice appear to have been published previous to the 15th day of Bysakh, the sale to proceed as appointed.	8. 19.	8	2
	3. On the 1st day of Kartick, *zemindars* at liberty to present a similar petition specifying balances due up to the end of Assin; publication to be similarly made for the sale of the tenure on the 1st of Aughun, unless the arrear, together with balances accruing for Kartick, be liquidated to that date.			3
	4. Such sale to be made by the register or acting register, or in his absence by the judge or magistrate of the district. *(For the rules of sale, see Sections 8, 9, 10, and 17 of the regulation.)*		9	
	5. Under-tenures in *putnee talooks* held under similar conditions, not being voidable for arrears, the person claiming arrears to proceed against the defaulter by summary process, *(see Ch. 5. s. 1)* in order that he may bring the tenure to sale at the end of the year in the same manner as a *talook*; such sales to be similarly conducted, ten days' notice being previously stuck up in the court-room and collector's *cutcherree*. ..		16	
	6. Sales not to be delayed unless the amount claimed be produced; a suit for reversal of sale always to lie against the *zemindar*, and on proof that no balance was due, reversal of sale with costs and damages to be decreed to the Pff. the purchaser being made a party in such suits: the court always to indemnify him, in case of reversing the sale, at the expense of the *zemindars*. *(For summary inquiry into the fact of arrear, see Ch. 5, s. 12, c. 3.)*		14	1
Cl. 4. *Power of under-tenants to stay sale.*	1. Sale being advertized for arrears of rent, the *talookdar* of the second degree or any number of them, shall be entitled to stay the sale by paying into court the amount of balance demanded on the day appointed for sale; or may antecedently deposit a sum to answer future demands, and should the amount so lodged be equal to the demand on the day of sale, the sale not to proceed, the arrear to be discharged, and all excess to be returned to the depositor.		13	2
	2. If the amount so lodged be rent due to the *talookdar* from an under-tenant, this being specified at the time of deposit, such sum to be deducted from any pending claim or future demand on account of arrears for such year or month, on the part of the *talookdar*.			3
	3. If the amount so deposited be over and above all rents, of which no arrear is due from the depositing tenant, such sum is to be considered as a loan to the *talookdar* whose lands are thus saved from sale; the *talook* to be security for the loan, and as upon the conditions of a mortgage, the tenderer, on application, to receive immediate possession of the lands, in order to recover the amount with accruing *profits*; the defaulter only to recover possession by repaying the loan with interest at 12 per cent. up to the lender's obtaining possession, or by proving in the course of a regular suit, that the amount advanced with interest has been realized from the usufruct of the lands.			4
Cl 5. *Rights transferred to purchasers.*	1. *Talooks* to be sold free of all incumbrances accruing during the time of the defaulter, unless the defaulter possessed the right of making such incumbrance by a stipulation in the engagement of his tenure; no private transfer, mortgage, or assignment to bar the right of the *zemindar* to hold the tenure answerable in the state in which it was created by him, unless such transfer or assignment was made under the express authority of the *zemindar*.		11	1
	2. On the sale of a *talook* for arrears, all leases originating in the former holder of the tenure, creating a middle interest between the cultivator and proprietor, to be cancelled, unless the authority to grant them should have been specially transferred (by the conditions of tenure), such leases being merely assignments of the defaulter's interests in the property, and such interests being answerable for rent.			2
	3. *Khoodcasht*, resident, or hereditary *ryots* not to be ejected by purchasers at auction; and engagements with such tenants only to be cancelled on proof, in the course of a regular suit, that a higher rate would have been demandable at the time such engagements were contracted.			3
	(For modes of obtaining possession of talooks after sale, see Ch. 5, s. 12, c. 2.)			

		Bengal, &c. Reg.	S.	C.	Benares. Reg.	S	C.	C. C. Provs. Reg	S	C.	
Sec. 10. Succession to Property.	1. Any Hindoo or Mussulman dying and leaving a will, for the execution of which he may have appointed executors, such executors to proceed on the duty without application to any court (if the heir be not a disqualified landholder), and all civil courts prohibited from interfering unless a regular complaint be instituted therein.	5. 99.	2		—	—		3*.03.	16	2	* To the Doab, &c. by 8. 1805, 7. 1.
	2. Any such person dying intestate, the heir, if of age and qualified, or the natural, or appointed guardian, if the heir be not under charge of the court of wards, may take possession of the estate without having recourse to any civil court, and no court to interfere unless a regular complaint be preferred. ..		3			—				3	
	3. There being several heirs to the estate of a person dying intestate, if they agree to appoint a manager of themselves, civil courts not to interfere to give possession; but if the right of succession be disputed, on a suit being preferred by the party out of possession, the Judge to take security for the execution of judg-										

Ch. 4. Principles of Law in Matters of civil Cognizance.	Bengal, &c. Reg	S.	C.	Benares. Reg.	S	C.	C. C. Provs. Reg	S.	C.	
SEC. 10 ment *from the defl.* and on default of giving security, may give possession to such of the claimants who may be able to give it, declaring such possession to be merely in administration for the rightful heirs.	5.99.	1					3.03.	16	4	
4. If none of the claimants to such estate give the security required, and whenever there may be no person willing or authorized to take charge of an estate, the proprietor thereof being deceased, the Judge of the district, in which the deceased resided or wherein the estate or the greater part of it is situated, may appoint an administrator, until the suit pending be decided, or, if no suits be pending, until the legal heir, executor, or administrator claim the estate. *(See the late rule for attachment, Ch 3, s. 8.)*		5							5	
Administrators, so appointed, to give good security for the faithful discharge of the duties; their allowance to be fixed by the Judge, under approbation of the S. D. A. to whom the case is to be reported.		6							6	
SEC. 11. CHARGE OF PROPERTY UNCLAIMED. 1. Z and C. Judges, on receiving information that a person having personal property has died intestate, and no claimant appearing, are to adopt measures for the preservation of the same, and to advertize for the heir or authorized administrators, on the place where the property lies, in the court-house, and at the dwelling of the deceased, and, if the deceased be a European, in the Government Gazette;—the property to be surrendered to persons entitled to receive it on payment of all necessary expenses incurred; if no claimant appear within a year, the circumstances, with an inventory of the property, to be reported to the Gov. Gen. in C.*(e)* *(See the rule for attachment, Ch. 3, s. 8.)* ..		7							7	
2. Any European dying intestate, Z. or C. Judge to report the circumstance to the Registrar of the Supreme Court, retaining charge of the property until letters of administration be obtained by that officer or any other person, or, if a will be subsequently found, until a probate of the will be obtained*. ..	15.06.	6								*See Stat 39. 8 Georg. III. cap. 79, sec. 21.
SEC. 12. GENERAL LAW OF INHERITANCE. 1. Proprietors of land dying intestate, and having two or more heirs, who by the Mahommedan or Hindoo law (as the parties may be of either persuasion) may be entitled to inherit the property in respective shares, such persons to succeed to their rightful shares.	11.93.	2		44.95.	2					
2. Proprietors of land at liberty to bequeath by will, or transfer, by writing or verbally, their estates to their heir singly, or to other sons, or to any other persons, as they may think proper; provided such bequest or transfer be properly authenticated or attested, and be not contrary either to the regulations or to the Hindoo or Mahommedan law.		6			6					
3. In the Jungle Muhals, and in other districts, wherein such is the custom of the country, estates to descend to single heir upon the proprietors dying intestate.	10.00.	2								To Cuttack by 12 1805, 36
4. In all matters regarding inheritance, &c. the Hindoo law for Hindoos, and the Mahommedan law for Mahommedans, to afford the rule for decision. .. *(See Ch. 2, s. 2, cl. 9, 2.)*	4.93.	15		8.95.	2		3.03.	16	1	
SEC. 13. POSSESSION OF LANDS BY EUROPEANS. 1. No European, of whatever nation, shall purchase, rent, or occupy any lands, directly or indirectly, within the British territories, without the sanction of the Gov. Gen. in C.; and all persons so holding lands to be dispossessed without indemnification.	38.93.	3		48.95.	3		19.03.	3		To the Doab, &c. by 8. 1805, 17.
2. Europeans, who may not be prohibited from lending money to landholders on the security, or mortgage of their lands, or leases, shall not be allowed, directly or indirectly, to hold possession of such lands, or to have any concern in the management or collection of the rents.		4			4			4		
3. Whenever Europeans may be permitted to hold lands by the sanction of the Gov. Gen. in C., such lands shall be measured by an officer appointed by the Collector at the expense of the parties purchasing; Collectors to report to the B. of Revenue all transgressions against this regulation. *(f)* .. *(For forms of suits by Europeans and British subjects, see Ch. 1, s. 3, cl. 3.)*		5			5			5		

(e) By C. O. of S. D. A February 26, 1820, a commission of one anna in the rupee is allowed to the *nazir* on the proceeds of the sale of such property with the previous sanction of Government.

(f) By the C. O. of S. D. A November 28, 1809, it is explained that courts cannot pass judgment in favour of Europeans holding lands without sanction of Government, but that the individuals should be allowed an opportunity to apply for such sanction previous to passing judgment against them.

Ch. 4. Principles of Law in Matters of civil Cognizance.

		Throughout all the Provinces. Reg.	S.	C.
Sec. 14. Attachment of Lands by Govt.	1. Whenever the Gov. Gen. in C. may deem it expedient to attach the lands of any *zemindar* without any previous judicial proceeding, notice will be conveyed to the Judge of the district, to the P. C. A. and to the S. D. A.	3. 18.	9	
	2. Lands when so attached, are not liable to be sold for decrees of court, or for the realization of fines or other penalties.		10	2
	3. For the satisfaction of decrees in such cases, Government will make equitable arrangements.			3
Sec. 15. Rules concerning lands gained by alluvion.	1. Whenever there may be a distinct and recognized usage of *shekust pyuust*, for the determination of boundaries, when two estates are divided by a river, such established usage to govern the decision of all claims to alluvial lands under similar circumstances.	11. 25.	2	
	2. When no local usage may exist, the following rules to be observed.		3	
	3. Land gained by the secession of any river or sea, to become a portion of that tenure to which it may then be annexed, and the property of the holder of the adjoining tenure, upon the same terms; i. e. as the original tenure is held, so will be the land gained, such land not being exempt from such assessment on the part of Government as may be authorized by Reg II. 1819;—and the holder of it (if an under-tenant of whatever kind) not being exempt from such increase of rent as the terms of his own tenure or as established usage may authorize.		4	1
	4. The above rule not applicable to lands separated from any estate by the sudden intersection of some river changing its course; lands being so separated and annexed to another estate, without their identity being destroyed, shall on being clearly recognized, remain with the original owner.			2
	5. All *churs* or islands, thrown up in a large river (the channel of which is not private property) or in the sea, whenever the channel between such land and the main shore be not fordable, shall belong to Government; but whenever the channel may be fordable at any season of the year, such lands to be annexed to the estates most contiguous, subject to the rules above prescribed.			3
	6. In small and shallow rivers, any *churs* thrown up, to become the property of any proprietors of estates, who may have the *julkur* right of fishery in such rivers.			4
	7. In all cases not provided for in these rules, the courts of justice to obtain the best evidence of local usage, and when no local usage may exist on the subject, to decide according to equity.			5
	(For lands claimed by Government as being in the possession of no one, see Ch. 11, s. 9, cl. 3.)			
Sec. 16. Minhye Tenures of Kanoongoes.	1. Whenever the *minhye* or *lakhiraj* lands of *kanoongoes*, in which the tenure and the right of property are separately and distinctly vested, the Gov. Gen. in C. may instruct the resuming authority to continue the *minhyedars* in possession, after assessment; in which case the claimants of proprietary right will be entitled to no land rent, and to no further profit than they received up to the time of resumption; persons claiming proprietary right under such circumstances, to incur a dismissal of suit with costs; but *malikana* which may have been received during the existence of the tenure not to be withheld. (This rule applies only to Behar.)	13. 25.	2	
	2. Tenures of such *minhyedars* so confirmed, declared both hereditable and transferable.		3	
	3. Any holders of *lakhiraj* tenures confirmed in possession by the Gov. Gen in C. to be maintained by the courts. (This rule applies universally.)		5	

		Bengal, &c Reg.	S.	C	Benares. Reg.	S.	C.	C. C. Provs. Reg.	S	C.
Sec. 17. Loans to and by Civil Officers. Cl. 1. *From native officers.*	1. All covenanted civil servants (of whatever department) prohibited, under pain of dismissal, from incurring debt in any way, to any native officer under their authority, or under the authority of their functionaries, or to any person connected with such officer by surety, agency, or relation.	7. 23.	2	1	—	—	—	—	—	—
	2. As also from incurring debt to any manager, guardian, *aumeen*, or other person officially accountable to them.			2			—			—
	3. Z. or C. Judges prohibited from officially employing any native creditor, or the relation or dependant of such. P. C. A. to enforce this rule on receiving reports of officers newly appointed or recommended.	21. 14.	2 3		—	—		—	—	
Cl. 2. *From persons in their jurisdiction.*	1. All Z. and C. Judges, Magistrates, Joint-Magistrates, Registers, and Assistants; Collectors and Deputy Collectors of land revenue, prohibited, under pain of dismissal, from incurring any debt to any landholder, or other possessor of real property, or to any resident, or any person having a commercial establishment within their jurisdiction.	7. 23.	2 3		—	—		—	—	
	2. Any persons lending money in opposition to these rules liable to forfeit to Government a sum equal to such illegal loan.		4			—			—	
	3. Any such debt previously contracted and not communicated to Government within one year, after the promulgation of this regulation, will incur the penalty for such illegal loan and debt.		5			—			—	
	4. Any covenanted civil servant on being appointed to any office, holding at the time a debt which would become illegal with such appointment, and failing to communicate the circumstance to the Gov. Gen. in C., will be subject to the same penalty as if he had contracted the debt after such appointment.		6			—			—	

Ch. 4 Principles of Law in Matters of civil Cognizance.	Bengal, &c. Reg.	S.	C.	Benares. Reg.	S.	C.	C.C. Provs Reg.	S.	C.
Cl. 3. *Recovery of Penalties.* Civil suits for the recovery of such penalties to be instituted in the P. C. of the division under conduct of the S. R. L. A. or such other person as the Gov. Gen. in C. may nominate for the purpose; judgments in such suits subject to the general rules of appeal and execution. *(See Ch. 6, s. 1, cl. 2, 5.)* ..	7. 23.	8		—	—		—	—	
Cl. 4. *Loans by such officers.* Judicial and other covenanted officers prohibited lending money directly or indirectly to any proprietor or holder of land or his surety; such loans not recoverable in any court of judicature.	38. 93.	2		48. 95.	2		19. 03.	2	
Sec. 18. RULES REGARDING NEW REGULATIONS. 1. *Zillah* and city and provincial Judges empowered to propose regulations regarding any matters coming under their cognizance.	20. 93.	2		29. 95.	2		9*. 03	2	
Cl. 1. *Power to propose.* Cl. 2. *Proposed by Z. or C. Judges.* 1. Having made a draft of the proposed regulation after the manner prescribed in the regulations, (XLI. 1793, and I. 1803,) and in the act of Parliament, (*Ch.* 142, *cl.* 8,) such draft to be transmitted to the P. C. A. of the division, (if framed by a Z. or C. Judge.)		3			..			3	
2. Such draft to be forwarded to the P. C. A. under cover by the Register, or Assistant, with a copy of the Judge's order for the transmission, attested by the court seal and signature of the Register.		4			..			4	
3. If not transmitted in the manner prescribed, the P. C. A. will return the draft with instructions as to the form required; the P. C. A. will take the proposed regulation into consideration when properly transmitted.		5			..			5	
4. Whether the P. C. A. approve or disapprove the proposed draft, that court will forward it to the S. D. A. with their own sentiments upon it.		6			..			6	
5. Should the P. C. A. only approve the proposed regulation in part, that court will forward the draft received, with another draft drawn up according to their own sentiments.		7			..			7	
6. If the provincial Judges differ in opinion on the proposed regulation, each Judge may record his opinion, and attach to the proceedings a draft according to his own sentiments; but if any Judge disapprove the regulation altogether, such disapproval to be briefly stated in the proceedings, which, with the proposed drafts, will be forwarded to the S. D. A.		8			..			8	
7. The S. D. A. to forward all proceedings to the Gov. Gen. in C. with a letter stating which draft the Court approve, or whether the regulation is disapproved of altogether; or accompanied by a draft of their own, if the Court propose to alter any of the drafts transmitted.		9			..			9	
8. The Judges of the P. C. A. not to communicate their opinion to the Z. or C. Judge proposing the regulation; the S. D. A. may require further information, if necessary, from either of the inferior judicial authorities, submitting all such queries, with the replies, to the Gov. Gen. in C. with the final proceedings. ..		10			..			10	
Cl. 3. *Proposed by Judges of P. C. A.* 1. Judges of the P. C. A. empowered to propose regulations under similar forms; if proposed collectively or approved unanimously by the court, the draft to be forwarded to the S. D. A. at once; any difference of opinion arising between the Judges, each to record his sentiments with a draft accordingly; complete disapprobation on the part of any Judge to be briefly stated.		11			..			11	
2. The S. D. A, on receiving such draft from the P. C. to proceed as above. *(See cl. 2. 7.)*		12			..			12	
3. The S. D. A. to return the draft for correction, if not transmitted in the form prescribed. (See above.)		13			..			13	
Cl. 4. *Proposed by the S. D. A.* The S. D. A. proposing regulations to Government to follow these forms as prescribed. ..		14			..			14	
Cl. 5. *Orders of the G. G. in C.* The Gov. Gen. in C. will reject or adopt the proposed regulation, or pass such order as he may think proper. *(g)*		15			..			15	

* To the Doab, &c. by S. 1805, 15.

(g) The C. O. of S. D. A. April 23, 1825, communicate the sentiments of Government, that the reported opinions of public officers on the system and effect of the laws will always be favourably received by Government.

Ch. 4. Principles of Law in Matters of civil Cognizance.	*Throughout all the Provinces.*		
	Reg.	*S.*	*C.*
SEC. 19. SUNDERBUN JUNGLES. 1. The Gov. Gen. in C. competent to grant leases and assignments in the Sunderbuns, and to take measures for the cultivation of that country Persons receiving such assignments to take possession accordingly, and to be aided in so doing by all public officers. The suits of neighbouring *zemindars* for lands so granted to be dismissed with costs, if it be proved, or be not denied that such lands belonged to the uninhabited *jungle Zemindars*, laying such claim by virtue of authority to collect money or other thing from persons engaged in gathering *jungle* products, or by virtue of other privileges recognized by Government, as part of the assets of such *zemindaree*, and which were not stopped, or had not received compensation, shall be entitled to receive compensation for injury in consequence of new arrangements in the Sunderbuns, the same being ascertained by an investigation under Reg. II. 1819.	3. 28.	13	1
2. The boundary of the Sunderbuns being laid down in a survey map, any party interested may receive copy of such map, or of a portion of such map, on payment of all expenses in preparing the same. Any party deeming himself injured by such demarcation, may contest the same, within three months after the commissioner's proceeding, by petition to the commissioner, or, if no such jurisdiction exist, to the ordinary courts of justice. Objections only to be heard when parties shall offer to prove that lands now included within the demarcation, were actually in their possession at the time of the survey. Every such claim to be investigated under the rules of Regulation II. 1819.			2

CHAPTER V.

SUMMARY AND MISCELLANEOUS SUITS.

		Bengal, &c.			Benares.			C. C. Provs.			
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.	
Sec. 1. Summary Process for recovery of rents. Cl. 1. *Process of arrest.*	1. Any landholder or farmer to whom an arrear of rent may be due from an under-tenant (of whatever denomination) and which cannot be realized by distraint, may cause* the arrest of the defaulter and his surety. ..	7.99.	15	1	5.00.	14	1	28†.03.	32	1	* For rules of distraint, see Ch. 10, S. 6. † To the Doab, &c. by Reg. 8. 1805, 19.
	2. Petition for the arrest of such defaulter to be presented to the Judge, or if the defaulter be about to abscond to the local *moonsiff*; in the latter case the *moonsiff* to arrest the defaulter and his surety, and forward them to the Judge within 24 hours, unless the defaulter give in a written application to stay process that he may adjust the claim, and the pff. assent to such delay.			2			2			2	
	3. Such petition for arrest to specify, besides the name of the defaulter, and the *muhaul* in which the arrears accrued, the account from which the balance has arisen, the annual *jumma*, the *kists*, and the amount discharged.	19.17.	15	2	—	—	—	—	—	—	
	4. On a petition being presented to the Judge, (which may be received in or out of court, and be presented by any agent of the claimant,) a *dustuck* to be issued, and on apprehending the defaulter, if he do not pay the arrear within 24 hours (or a longer period on a written application being presented by the pff. he is to be conveyed to the civil jail: arrest always to be withdrawn on a written declaration by the pff., that he is satisfied: more than two *peons* not to be employed in serving such process, unless it be absolutely necessary *(a)*. ..	7.99.	15	3	..	..	3	..	..	3	
	5. If the defaulter reside in another district, the petition of arrest may be presented in the jurisdiction where he may reside. ..	19.17.	15	1	..	..	..	..	..	..	
	In such case the defaulter being arrested and brought to the court, unless he pay the demand or give security for attending the court in the jurisdiction in which the land or the greater portion of the land, for which the arrear is due, is situated, is to be sent to that court, with the papers of the case, in charge of *peons*, at the expense of the pff. ..			3	—	—	—	—	—	—	
	6. Claimants of such arrears have the option to present their petition for arrest in the court of either district. If presented in the district wherein the defaulter does not reside, it is to be sent to the Judge of such jurisdiction for process to be served, and to be returned either with the defaulter or with the deposition of the *peon* who could not effect the arrest. ..	8.19.	19		7.22.	22		—	—	—	
	7. The above rules only apply to arrears that have accrued within the current year; and summary inquiry and process not to be allowed, unless the petition be presented before the arrears have been due for a complete year. This restriction, however, not to preclude the adjustment of earlier accounts at the same time that recent arrears are thus summarily investigated.	2.05.	4	1	—	—	—	—	—	—	To the Doab, &c. by 8. 1805, 22.
	8. Process of arrest having been issued, if the return be that the deft. is not to be found, pff. may either move the court to issue a second summons (after a month's postponement), or to cause proclamation to be made that after 15 days the claim will be summarily investigated; after which, if the defaulter fail to attend, decision to be given *ex parte*. ..	8.19.	18	2	7.22.	2	2	—	—	—	
	9. For arrears accruing from tenures in perpetuity, the tenure to be sold by public auction; all excess in the proceeds of such sale to go to the tenant.—*(See Ch. 4. s. 9.)* ..		3	3	..	..	..	..	..	..	
Cl. 2. *Summary Investigation.*	1. On a defaulter being brought before him, a summary inquiry to be made by the Judge on the vouchers and accounts of the parties.	7.99.	15	4	5.00.	14	4	28.03.	32	4	
	For the reference of such suits for trial to other authorities, see Ch. 1, s. 9.										
	2. The defaulter may be admitted to give security for attendance until the case be investigated and decided (by whatever jurisdiction), whenever he may deny the demand. ..	19.17.	16	2	—	—	—	—	—	—	

(a) The directions contained in the C. O. of S. D. A. of July 10, 1816, have been rendered unnecessary by the provisions contained in Reg. XIX. 1817, which are abstracted in the text.

(b) The C. O. of S. D. A. Dec. 31, 1824, explain that the rule regarding insolvent debtors in Reg II. 1806, *(See Ch. 2. s. 3, cl. 7,)* applies to persons confined from summary process.

	Ch 5. Summary Suits.	Bengal, &c. Reg.	S.	C.	Benares. Reg	S.	C.	C. C. Provs. Reg.	S	C.
Sec. 1. Cl. 2.	3 If upon inquiry it appear that the arrear (or the greater portion of it) is not due, and that the demand has been misstated, deft. to be discharged with costs, and equitable damages awarded against the pff.; if the demand be established, deft. to be kept in custody until the arrear be paid or the pff. applies for his release.	7. 99.	15	5	5. 00.	14	5	28. 03.	32	5
	4. Persons claiming arrears to be encouraged to sue regularly instead of summarily, whenever such a measure may appear likely to ensure a more satisfactory adjustment	2. 21.	4		..	..		..	..	
Cl. 3. *Rights and Authority of Landholders in collecting Rents.*	1. A defaulter being confined for arrears, the proprietor or farmer may attach the tenure and himself collect the balance due with interest at 1 per cent. per month, and all rents that may further fall due, but nothing to be exacted from the cultivators beyond what the defaulter would have collected in his own right;—if the arrear be discharged within the year, such attachment to be withdrawn, and accounts to be settled with the tenant.	7. 99.	15	6			6			6
	2. If the arrears be not paid within the current year, the proprietor or farmer may make his own provisions for the future discharge of his rents, being always responsible for infringement on the rights of under-tenants; leases, in such cases, may be annulled, dependant *talooks* brought to sale on application to the court (when such tenures are so transferable), occupant tenants to forfeit their tenures, and such general rights to be exercised by proprietors and farmers without the necessity of applying to the court in the first instance. ..			7			7			7
	3. The courts to determine precisely the rights of every description of landholder, when regularly brought before them, whether dependant upon written engagements or local usages. Landholders may summon their under-tenants for measurement of lands, adjustment of rents, or any other legal purpose without application to the court:—opposition on the part of tenants punishable by costs and damages; landholders also responsible for the abuse of these powers. ..			8			8			8
	4. Any landholder or farmer, having instituted a summary suit for arrears of rent, whether the defaulter be arrested or not, may attach, or collect the rents of the cultivators by his own authority, after such arrears have been due for one month.	8. 09.	18	2	7. 22.	22		7. 22.	22	
	5. Having obtained a summary decree for arrears of rent, landholders may of their own authority cancel any intermediate lease or tenure between himself and the actual cultivators; if he desire to have any real property of the defaulter sold in execution of such decree, he must institute a regular suit against the party (*putnee talooks* are saleable for arrears without such suit).			4		..			..	
	6. Tenures of resident and *khodcasht ryots* not attachable, or to be annulled for arrears by the authority of the proprietor or farmer;—distraint or process of arrest to be obtained for the recovery of such balance (the forms being always the same); on arrears being adjudged to be due by the court, and not immediately paid, the court may authorize the pff. to make his own future arrangements for the lands in question.			5		..			..	
	For the right of auction purchasers, see Ch. 4, s. 6, c. 5; and for pottahs and rents, Ch. 4, s. 7.									
Cl. 4. *Redress from Summary Decisions.*	1. Persons confined for arrears may institute a regular suit against the person confining them, and recover costs and damages on proof that the demand was unjust.	7. 99.	16		5. 00.	15		28. 03.	33	
	2. Claims rejected on a summary inquiry may be prosecuted by a regular suit. ..		17			16			34	
	3. Such summary decisions not appealable in any way except by a regular suit. .. *(See General Rules, Sec. 6.)*		18			17			35	
Sec. 2. Summary Process against agents on the part of landholders.	1. Any landholder or farmer, having demands on any agent for money or accounts withheld by such agent while in his service, may obtain process of arrest and confinement against him in a summary manner, as against defaulters. ...		20			19			37	
	2. Such claims and summary inquiries to be limited to acts of the current year, or not to be admitted unless the petition be preferred before a year has expired since the money was due, or the accounts withheld.	2. 05.	4	2						
Sec. 3. Summary suits against Distraint.	1 Attachment of property distrained for arrears of rent to be withdrawn, if either the defaulter or his surety, giving further security for the final award, with interest in case of being cast, shall, within 15 days after such attachment, or after storing the crops, enter into a bond with the Judge, Collector, *moonsiff*, the distrainer or officer commissioned to sell distrained property, to dispute the demand against him in the civil court within 15 days. *(See Ch. 10, s. 6, for rules of distraint.)*	5. 12.	15 / 16		..	.. / ..		..	.. / ..	

(e) The C. O. of April 28. 1818. explain, that these sections apply to *tehsildars*, &c. in Benares and the C. C. P.

Ch. 5. Summary Suits.	Bengal, &c. Reg	Bengal, &c. S.	Bengal, &c. C.	Benares Reg.	Benares S.	Benares C.	C. C. Provs. Reg.	C. C. Provs. S.	C. C. Provs. C.
Sec. 3. 2. Should the tenant be unable to procure the security required, he may still institute a civil suit to try the justness of the demand and distraint, being entitled to recover damages should they be proved to have been illegal. (d)	5. 12.	17							
3. Suits instituted under these provisions to be summarily decided according to the rules contained in Sec. 1. (e)		20							
See General Rules, Sec. 6; also Sec. 12, cl. 3.									
Sec. 4. Summary suits against Dispossession. 1. Any landholder, farmer, or under-tenant having claim to lands in the possession of another, is not to dispossess him of them, but must institute a suit in the civil court.	49. 93.	2		14. 95.	2		32*.03.	2	
2. Any party being forcibly dispossessed of lands, at liberty to petition the Judge who, immediately attending to the complaint, shall cause the lands or crops to be restored to the pff. or the value of them to be paid to him, on proof of his previous possession, without inquiring into the claim of the deft. (f)		3							
3. Should the *act* of dispossession have been accompanied with homicide or wounding, the right of the dispossessor is to be adjudged forfeited to the deft.		4						4	
4. Though the claimant himself were not present at the affray, yet if his servants or people, in dispossessing the pff. occasioned homicide or wounding, and if it be proved that they acted with the orders or knowledge of the claimant, his right is to be adjudged forfeited to the pff.		5						5	
5. Should both parties, both claimant and possessor, collect an armed force to dispute for the land, and a serious affray ensue, the land and crops shall be adjudged forfeited to Government.		6						6	
6. Such decisions of forfeiture to Government subject to all the rules of appeal for similar forfeitures contained in Section 22. of Regulation IV. 1793, (g) *(see Ch. 1, s. 5, cl. 3. 1)*: forfeitures in such cases to be sued for by the *vakeel* of Government, decisions generally upon such inquiries appealable to the P. C. A. on the plea of irrelevancy or misapplication of the regulation.	5. 98.	7		—	—				
7. If the criminal court give notice to the civil court, that a dispute for the possession of lands exists between parties, and may lead to a breach of the peace, the court to call upon the parties, by person or *vakeel*, to give in a written statement of possession or proofs of dispossession; decision to be passed upon the documents and proofs.	6. 13.	5	1	—	—	—	—	—	—
8. If the fact of possession cannot be ascertained, the court may attach the property, and appoint a temporary manager over the lands; this measure only to be adopted when absolutely necessary.			3			—			—
9. The court to encourage the reference of such disputes to arbitration till duly investigated by a regular suit. (*See Ch. 2. Sec. 5.*)			2			—			—
10. Magistrates, being empowered to inquire into the fact of possession in cases of dispute or affray, when they summon the parties are to give notice to the civil court; and if any summary suit for the land in question be pending in the civil court, it is to be sent to the magistrate for what orders may appear proper to be given concerning it during his inquiry. (h)	15. 24.	4		—		—	—		
11. Magistrates having no power to award damages, the same must be sued for by a regular civil suit.		5				—			—
(See General Rules in Sec. 6.)									
Sec. 5. Summary Suits on Indigo Engagements. 1. Any person, having given advances for indigo plant, and having reason to believe that a cultivator or other person under engagement to him intends to dispose of his crop to another, may petition the civil court, producing the deed of engagement, and praying its enforcement.	6. 23.	3	1	5. 24.	2		5. 24.	2	
2. Such petition being presented, deft. to be summoned, in person or by agent, to attend within 20 days.		2			..			..	
3. A summons being issued for the deft., copy of it to be fixed up in the *cutcherree* of the village or other public place, and the officer publishing it to erect a bamboo on the ground of which the produce is a subject of dispute, that all claimants may advance their claims in court; failure to do so, during the summary inquiry, will bar all claim to the matter in dispute until established by a regular suit.		3			..			..	
4. Deft. not appearing within the time fixed, the plaint to be decided upon *ex parte*, on the proofs of the pff.		4			..			..	
5. The deft. attending and denying the agreement, the pff's. proofs to be examined, and if satisfactory, no preferable claim by a third party being established, a summary award to be given.		5			..			..	
6. If the pff.'s claim be not established or the agreement appear to have been involuntary, the complaint to be dismissed with costs, and the deft. entitled to equitable compensation.			6		..			..	

* To the Doab, &c. by S. 1805, 23.

The application of such rules is not mentioned in the Regulation for the C. C. P.

(d) By the C. O. of S. D. A. Dec. 12, 1816, suits instituted under this section are directed to be summarily tried.

(e) The issue of notice to the deft. is not provided for in the regulation:—it can scarcely be intended that process of arrest is to be issued on the institution of such suits—but such is the only form contained in Reg VII. 1799.

(f) By the C. O. of S. D. A. Sept. 23, 1816, petitions are prescribed to be received on stampt paper, according to the scale contained in Sec. 18. of Reg I. 1814, (see Ap. Ch. 2.). By the C. O. of June 21, 1803, the necessity of making these summary investigations without delay is strictly enjoined; and by the C. O. of Sept. 27, 1806, such suits are explained as not necessarily requiring an *ex parte* investigation, but that the fact of dispossession should be the only object of inquiry; also by the C. O. of June 27, 1809, it is defined that force, actual or intended, must be proved against the deft. to make complaint cognisable under these provisions.

(g) The C. O of S. D. A March 15, 1806, decide that fines in such cases are not to be imposed on the dispossessor, that appeals on the plea of irrelevancy should only be admitted when deft. deny the act of forcible dispossession, and that pff. being cast before the Z or C. Judge, cannot appeal on such plea, also that the question of right is not to influence decisions in appeal, though it might deter execution of judgment upon security being entered to institute a regular suit without delay.

(h) Although Reg. XV. 1815, may appear practically to supersede the above enactments, yet not being rescinded they retain their place in the civil code.

	Ch. 5. Summary Suits.	Bengal &c. Reg.	S.	C.	Benares. Reg.	S.	C.	C. C. Provs. Reg.	S.	C.	
Sec. 5.	7. If the deft. appear under engagements to a third party, that party to be served with a notice to enter his plea before the case be decided; on investigation, preference to be given to a registered agreement, otherwise to the prior claim;—decree to be passed accordingly.	6. 23.	3	7	5. 24.	2		5. 24.	2		
	8. No deft. to be confined pending inquiry, nor to be detained longer than necessary.			8		..			..		
	9. If pending the inquiry the disputed crops be ready for cutting, the court may deliver them to either party who may consent to pay proper compensation to the other party, should the final award be against himself.			9		..			..		
	10. Crops being taken away in conformity with the court's award, a manufacturer so taking them to be held answerable, conjointly with the *ryot*, for any arrears of rent to the landholder.		4	2		..			..		
	11. Any *ryot* who, having received advances and given written engagements, may fail to cultivate or may dispose of his crop to another, is amenable to either a summary or a regular suit from the party to whom he was engaged. ..		5	1		..			..		
	12. A summary suit being instituted and the claim established against the *ryot*, advances to be repaid by him with interest and costs of suit.			2							
	13. In a regular suit, both the *ryot* and the party receiving crops engaged to another, may be sued; and if collusion be established against the latter, both are to be held answerable for the penalty and costs.			3							
	14. If no fraud be established, and the failure in the engagement be owing to accident or other cause than dishonesty, the penalty against the contractor, including interest, never to exceed three times the sum advanced.			4							
	15. Such summary suits referable to the Collector or Register, and only appealable by a regular suit by whomsoever decided; the general rules for summary inquiries to be followed in these cases.		6			..			..		
	16. No objection to be made against the deed of engagement if on stampt paper, such as is prescribed for bonds equal in amount to the sum advanced. ..		7								
	17. No objection to be made to deeds though in the name of many individuals and including several transactions, provided such be distinctly specified, and the stampt paper such as is prescribed for a bond equal in amount to the aggregate of the sums advanced.		8								
	(*See General Rules in Sec. 6.*)										
Sec. 6. General Rules.	1. Miscellaneous petitions, applications, and *vakalutnamahs*, filed in *zillah* or city courts, to be written on paper of 8 annas stamp; these rules applicable to the pleadings required in summary suits*.	1. 14. 26. 14.	18 20	.. 2	..	..	..	..	..	..	* For an exception in Cuttack, see ch. 11. s. 2. 6.
	2. Summary suits relating to arrear of rent to be heard and decided without delay. ..	7. 99.	13		..			28. 03.	31		
	3. Summary suits instituted according to Reg. 5. 1812, to be referred to Collectors for their report as soon as instituted. (*i*)	5. 12.	21		..	..		..			
	4. The Judge to use his discretion in referring such summary suits to collectors for report.	19. 17.	13	1							
	(*See Ch. 1, s. 9, cl. 4, and Ch. 11, s. 8.*)										
	5. Summary suits referable for trial and decision to Registers.	2. 21.	9								
	6. Summary suits may be tried and decided at any place within the jurisdiction of the court that may appear expedient.		10	2							
	In such cases the *vakeels* of the court not obliged to attend, the parties to be present themselves, or some authorized agent on their part.			3							
	7. Summary suits to whatever amount only cognizable by Z. or C. C†. ..	13. 08.	7								† For a single exception to this rule in regard to corruption of native officers, see ch. 12, s. 13, cl. 3.
	8. *Vakeels* in summary suits to be remunerated at the discretion of the court, but never to receive more than ¼th of the fee established for regular suits for an equal amount.	26. 14.	3	11	..	..	..	..	..	..	
Sec. 7. Process and arrest for arrears of Public Revenue.	1. Arrears of public revenue being due to Government, the Collector has the power to issue process to apprehend the defaulter by his own officers, and upon failure to discharge the demand to convey him to the civil jail.	14. 93.	5		6. 95.	11		27. 03.	11		To the Doab by 8. 1805. 18.1 to Cuttack by R. X. 1818. 5.
	2. The Collector, having so apprehended the defaulter or his surety, if a farmer, may keep him in custody of his own peons for 10 days, if an inclination be shown to adjust the balance; after which period if the arrear is not discharged, he is to be forwarded to the civil jail. (*k*).	7. 99.	23	2	..	..	‡	..	..		‡ The provisions for Benares and the C. C. P. give the power of serving such process to *mofussil tehsildars*, and are more particular as to the apprehension of sureties: they direct also
	3. The collector at the same time to apply by *vakeel* to the judge (in or out of court), who will cause the defaulter (or his surety) to be confined, and keep him so until the balance shall be discharged, or the collector apply for his release. ..	14. 93	5		..	..	..	..	..		
	4 Proprietors of land liable to confinement for arrears of revenue, if the sale of their estates shall not be sufficient to liquidate the balance due, or if no bidder shall offer for the lands when put up to sale.	3. 94.	14		7. 99.	28	5				
	5. Proprietors of land are not liable to confinement for arrears of revenue, except under such circumstances.		3								

(*i*) The C. O. of S. D. A. Sept. 24. 1819, communicate the injunction of Government, that the services of Collectors in reporting upon summary suits should be made use of as far as possible.

(*k*) Reg. XI. 1822. sec. 2. rescinds all regulations that prescribe the issuing of process of arrest, or attachment against revenue defaulters before bringing the lands to public sale. None of the above rules are repeated with the exception of 7. 1799. 23 (rule 2), and as the corresponding rules for Benares and the C. C. provinces are not repeated, it is here abstracted in part.

Ch. 5. Summary Suits.	Bengol. &c. Reg.	S.	C.	Benares. Reg.	S.	C.	C. C. Provs. Reg.	S.	C.	
Sec. 7. 6. Persons in confinement under such process, at liberty to prosecute the Collector in the civil court.	14. 93.	12								that the 10 days custody prescribed in the text, may at the discretion of the Collector be either in the civil jail, or in charge of his own peons.
7. Persons served with process of arrest for arrears of revenue, may institute a suit in the civil court against the demand;—copy of the plaint to be sent to the Collector or his *tehsildar*, (*see amended rules in Ch. 3, s. 1, c. 2.*) who in reply will state the claim against the plf. which, if denied, and security be produced for the alleged arrear, as well as all arrear that may accumulate during the trial, the suit to be tried, and the Judge may desire the arrest to be withdrawn pending inquiry.				6. 95.	16		27. 03.	16	1	
8. Plf. entitled to damages and costs if he prove the demand to have been incorrect: after such decree, security for final judgment to be always taken in case of appeal on the part of the Collector.	..	..		..	..		..	..		
9. Any person, being in confinement for arrears of revenue *(l,)* either from a judicial decree, or by the authority of the Collector, may petition the Judge to require the Collector to show cause why he is continued in confinement. If he be in custody from a judicial decree, and the period of appeal be expired, the Judge only to inquire, whether the amount has been discharged, together with all other sums since due; if by the authority of the Collector, the Judge, leaving the petitioner to prosecute regularly on his disputing the justness of the demand, is only to inquire, whether the amount has been discharged; such inquiry to be in continuance of the original case: if the amount for which the petitioner was confined appear to have been paid, the Judge to release him on his giving security to pay all further sums due from him. If the Collector object to this adjustment, but neglect to appeal within the period prescribed, the court may release the prisoner without security. If the prisoner, consenting to the court's adjustment of accounts, has been confined upwards of a year, although a portion still remain due, the Judge may release him on his giving security to pay the amount by instalments within one year. The orders of the Judge in such cases open to appeal by either party.	..	29		..	25		..	32		
Sec. 8. Process against native officers by collectors. 1. Any native officer refusing to file papers or money in his charge, and belonging to Government, the Collector may forward such officer for confinement in the civil jail until he comply with the requisition; such officer dying before rendering what has been required of him, sureties to be exonerated, and the Collector to institute a regular suit against his heirs.	3. 94.	16					33*. 03.	3		* To the Doab by S. 1805, 23, 1.
2. If such officer, at any time subsequent to his confinement, denying the justness of the demand against him (being for public money), give security to institute a suit within 15 days, as also for any final award with interest, he is to be released, and the sale of his property, if ordered, to be countermanded by the court. ..		19						6		
3. If it afterwards appear before the court, that either the money claimed was not due, or the papers required not in his possession; the officer, if confined, to be released, but the Collector not liable to damages or costs for having confined him.		18						5		
4. Upon such native officer absconding, the Collector has the option to proceed against the surety on his original engagement, or to apply for the apprehension of the officer through the Judge of the jurisdiction in which he may be residing. ..		17						4		
5. Officers confined by such process of the Collector may always institute a civil suit against that officer to prove the demand unjust.		20						7		
6. These rules applicable to native officers in the department of customs *(m)*. ..	9. 10.	36		..	..		..	..		
Sec. 9. Process for recovery of abkaree duties. 1. Arrears of revenue being due from persons licensed to manufacture or sell spirituous liquors and drugs, including opium, it shall be competent to the Collector to enforce against the defaulters or their sureties, the same process as is prescribed against farmers of land or their sureties, for the recovery of arrears. ..	17. 14.	2		..	..		..	..		
Cl. 1. *On the part of the collector.* 2. Collector competent to serve the same process against persons farming any of the *abkaree* duties, whenever an arrear may accrue.	7. 24.	8	2							
Cl. 2 *On the part of farmers.* Persons farming any of the *abkaree* duties authorized to exercise for the recovery of arrears due from manufacturers or venders of spirituous liquors and drugs, the same means as are prescribed by the regulations for proprietors of land against their under-tenants. .. .. *(See the rules for distraint, Ch. 10, s. 6. and sec. 1. of this chapter.)*		8	2							
Sec. 10. Process for recovery of tuccavee, &c. Sums advanced to landholder in *tuccavee, poolbundy, &c.* for repairs or improvements in their estates, to be recovered by the same process as arrears of public revenue. *(See Sec. 7.)*	14. 93. 3. 94.	40 8		6. 95.	46		27. 03.	45		

(l) The C. O. of S. D. A. April 20 1816, explain that all persons confined by the process of any Government officer are to be at the charge of such officer (officially) for diet.
(m) The C. O. of July 2, 1818, explain that, under rule 2 (of the Abstract) all officers confined may give security to institute a suit, and be released: that such suits are to be conducted regularly, and the plaints sent to the Board of Revenue.

Ch. 5. Summary Suits.

		Bengal, &c.			Benares.			C.C. Provs.		
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.
Sec. 11. Summary inquiry into embezzlement or suppressions of accounts by officers of civil courts.	1. Native officers attached to civil courts being accused of having embezzled any money or property given into their charge, or whenever the Judge may suspect any such embezzlement, a summary inquiry to be immediately instituted; security for attendance to be required from the officer during such inquiry, and on failure to produce it, the party liable to be confined in the custody of peons or in the civil jail.	18. 17.	7	2	—	—	—	—	—	—
	2. Money proved to have been embezzled by any such officer to be recovered from him or his official surety, by the process prescribed for the execution of decrees. (*n*)			3			—			—
	3. Investigation to be held under similar rules, whenever an officer attached to the court may withhold public accounts which it is his duty to prepare and furnish; accounts, in such cases, to be required, and a proper fine to be imposed upon the offender.			4			—			—
	4. Decisions of a Z. or C. Judge in such cases, open to a summary appeal to the P. C. A.; and on being appealed, the original judgment not to be executed if the party procure sufficient security for performance of the final judgment. ..			5			—			—
	5. Original decisions of the P. C. in such cases appealable to the S. D A. under similar rules.			6			—			—
	6. Second appeals also admissible by the S. D. A. under the usual restrictions, *(See Ch. 12, s. 10, cl. 2)*; but no regular suit in appeal from such summary decisions admissible.			7			—			—
	7. The fact of embezzlement being established, the amount, if it has been properly deposited in court, to be refunded from the treasury; Government will adopt expedient measures for recovery from the defendant.	3. 27.	6		..	..		..	..	
	For other summary investigations of a criminal nature, *see Sec. 5, of Ch. 1*, and for a summary inquiry into the irregularity of sales held in conformity with decrees, *see Ch. 2, s. 3, cl. 5, 5, &c. 6, 5, &c.*									
Sec. 12. Miscellaneous cases concerning putnee talooks. Cl. 1. *Security from transferees.*	1. *Zemindar*, on the alienation of tenures held by leases in perpetuity, being entitled to require security for the payment of their dues from the transferee previous to giving possession, should a dispute arise as to the efficiency of such security, reference to be made to the civil court for determination of the point. ..	8. 19.	6							
	2. Such security to be equal to the amount of one-half the annual rent payable from the tenure.	..	5							
Cl. 2. *Transfer of possession to purchasers.*	1. *Zemindars* refusing to give possession notwithstanding the tender of security, the purchaser of such tenures entitled to apply to the court, and to be put in possession through the *nazir* of the court by the process prescribed for the execution of decrees. ..		15	1						
	2. If the late incumbent or his tenants oppose the purchaser's obtaining possession, application may be made to the court, and the Judge to issue proclamation, that the purchaser alone will be recognized as the *talookdar* with right to collect rents.			2						
	3. Should the late incumbent or his tenants still refuse to yield possession, the purchaser entitled to receive assistance from the police, on application for such aid.			3						
Cl. 3. *Summary investigation into arrears.*	*Putnee talookdars* disputing arrears demanded by proprietors, may apply to the civil court for a summary investigation, at any time within the period of the notification of sale on default; the *caboolent* and proofs to be required from the *zemindar* without delay: but if the investigation be not concluded by the day of sale, such sale not to be delayed, unless by the desire of the proprietors, or unless the defaulter deposit the amount demanded, either in cash, Bengal bank notes, or Government securities, without which deposit, the summary investigation (at that stage) to proceed; after the sale under such circumstances, the only resource for the *talookdar* is the institution of a regular suit. (*See ch. 4, s. 9.*) ..		14	2							
Sec. 13. Miscellaneous cases relating towards and their estates. Cl. 1. *Proceedings on the report of disqualification.*	1. A collector having reported any landed proprietor to be a minor, that person, if he deny that he is under-age, may petition the Z. or C. Judge of the jurisdiction, who will forward the petition to the S. D. A. On receiving a precept from the latter court, the Judge (whether of a P., Z., or C. C.) to call the party before the court, and ascertain his age, from the evidence on oath of three credible wsses. acquainted with the person, and by what other means may be satisfactory: the proceedings being recorded, to be forwarded with the opinion of the Judge, for the decision of the S. D. A.; the final orders with regard to the estate to be passed by the Gov. Gen. in C. ..	10. 93.	5	2	6. 22.	2		52*. 03.	9	2
	2. Any proprietor of land being deemed disqualified to manage his estates from lunacy, or any other natural defect or infirmity, the Board of Revenue to order the collector to represent the same to the civil court of the district; the									

* To the Doab, &c. by S. 1805, 29.

(*n*) The C. O. of January 25, 1822, communicate the opinion of Government, that Government, or the judges of courts, are not bound to make good all losses to individuals, from embezzlement by officers of the court; such must be recovered from the property of the individual. The C. O. of S. D. July 2, 1818, prescribe particular rules as a check against embezzlement. The orders of Government, communicated by C. O. of S. D. A. October 2, 1817, declare that *sillah* Judges shall be held responsible for the conduct of their native officers, *(See Rule 7.)*

Ch. 5. Summary Suits.	Bengal, &c. Reg	S.	C.	Benares. Reg.	S	C.	C. C. Provs Reg	S.	C.
Sec. 13. Cl. 1. Judge to forward the representation to the S. D. A. and on receiving a precept from that court, to ascertain the actual state of the person by ocular proof, and by the opinion on oath of three credible wases. ; proceedings to be forwarded, with the opinion of the Judge, to the S. D. A.	10. 93.	5	3	6. 22.	2		52. 03.	9	3
(For the proceedings of the S. D. A in such cases, see ct. 13, s. 8, cl. 4.)									
3. Similar rules with regard to persons deemed disqualified to manage their own estates on account of bad character.				..					4
4. No landed proprietors to be deemed disqualified on the grounds of bad character.	7. 96.	3				*			
5. Persons having been decided to be lunatics, but who were not born so, to be brought before the Z. or C. Judge once a year or more, and when the defect may appear to him to be completely removed, report to be made of all the circumstances to the S D. A. for the decision of that court. ..	10. 93.	5	5	..	..		..		5
6. Persons having been so pronounced disqualified, and themselves beheving the defect to be removed, may petition the Judge of the jurisdiction, who will observe the process prescribed above, forwarding the petition to the S. D. A. ..			6		..				6
Cl. 2 *Appointment of Guardians in certain cases.* 1. One or more of the proprietors of joint undivided estates, dying and leaving heirs, who are either minors, lunatics, or ideots, and without nominating a guardian by will, the Judge of the district wherein the lands (or the greater part of them) are situated, upon receiving a report of the case from the Collector or other person, stating that the nearest of kin is unfit to manage the estate, will appoint proper and respectable guardians to the estate, forwarding copy of his orders to the S. D. A.			1	6.22	2		8.05.	29	8
2. Guardians to be selected with regard to their capacity, character, and responsibility: but the guardianship, in no case, to be intrusted to the legal heir of the ward, or to other persons interested in outliving him.	1.00.		2		..				9
3. If none of the family will gratuitously act as guardians, the Judge may authorize and fix the amount of compensation.			3						10
4. Guardians, so appointed, to receive a commission under the official seal and signature of the Judge, and, giving security for attendance during the trust, to execute an obligation themselves (for the form of which see the regulation.) ..			4		..				11
5. Guardians so appointed to have charge of the person, maintenance, and education of the ward; to have a voice in the selection of a manager to the estate; and to receive accounts of profits from the manager.			5		..				12
6. Estates while under such management answerable for the payment of public revenue, and liable to sale for arrears			6		..				13
7. Any person, feeling himself aggrieved by any act of a Judge upon the authority so invested in him, at liberty to present a petition either to the Judge himself or to the S. D. A.; in the former case, the Judge to forward a copy of the petition, and of all his proceedings, and the papers (with English translation†) to the S. D. A.			7						14
Sec. 14. Appointment of Managers to disputed estates 1. Disputes existing between the proprietors of joint undivided estates, whenever the revenue authorities or persons having an interest in such estates may show sufficient cause, Z. or C. Judges may appoint a qualified person to manage the estates, he giving proper security for the trust; if the revenue authorities, or other parties interested, object to the selection made by the Judge, a petition of appeal may be presented to the P. C. A.	5. 12.	26		—	—		—	—	
2. After such appointment the revenue authorities, or any parties interested, being dissatisfied with the management of the person appointed, may move the court for his removal; and if not satisfied with the Judge's orders on such motion, may further petition the P. C. A. See the late enactment for the management of estates through the collector *(Ch. 3, s. 8.)*		27			..			..	
Sec. 15. Summary inquiry respecting hidden treasure discovered. 1. Whenever any person shall find hidden treasure of gold or silver coin, bullion, or of precious stones, he shall give immediate notice thereof to the Judge of the jurisdiction, and deposit the treasure in the court with an exact inventory thereof.	5. 17.	3		—	—		—	—	
2. After comparing the treasure with the inventory, and giving a receipt for it, the Judge to issue a public notification in the languages of the country, affixing it in his own *kutcherry*, and in that of the collector, requiring all persons having any claim to the treasure to attend in person or by *vakeel*, and prove their title to it, within six months from the date of the notice.		4			—			—	

* The provision thus rescindod for Bengal, &c. was however re-enacted in the Oude provinces, and does not appear to have been since recalled.

† The enactment for the C. C. P. does not require such translations to be forwarded.

Ch. 5. Summary Suits.	*Bengal, &c.*		*Benares.*			*C. C. Provs.*		
	Reg.	*S.*	*Reg.*	*S.*	*C.*	*Reg.*	*S.*	*C.*
Sec. 15. 3. Such treasure, on not being claimed either by Government or by any individual within the time limited, or if the claim be not well founded, to be surrendered to the person having found and deposited the same in Court, if in value it do not exceed one lack of sicca rupees, subject only to the expense incurred by the process here prescribed.	5. 17.	6	—	—	—	—	—	—
4. If the amount of treasure found at the same time and place exceed one lack of sicca rupees, judgment to be given in favour of the discoverer, should no claim be preferred, and should he have conformed with the above rules, to the value of one lack of sicca rupees, the excess to be declared at the disposal of Government.		7		—			—	
5. On the issue of notice prescribed above (Rule 2), Collectors under the authority of the Board of Revenue to advance any claim of right which Government may appear to possess; any persons laying claim to the treasure within the time specified, a summary inquiry to be instituted by the Judge, and should the claim be proved, judgment to be given for the claimant, awarding all expenses, as well as reasonable compensation to the finder.		5		—				—
6. Finders of hidden treasure not conforming to the above rules, within one month after the discovery, to forfeit all title and right to the treasure, or to any reimbursement of expense, or compensation allowed by the above provisions; the treasure to be awarded to any claimant proving his right by a summary suit, or to Government on the application of the Government *vakeel*. ..		8		—			—	
7. Such summary decisions open to summary appeals on the rules prescribed. *(Ch. 13, s. 12, cl. 3.)*		9		—			—	
8. The decisions of two Judges on such appeals to be final, unless the S. D. A. see reason to admit a second appeal, from the face of the decree, or the inspection of documents.		10		—			—	

CHAPTER VI.

NATIVE OFFICERS, REPORTS, AND RECORDS.

		Throughout all the Provinces.		
		Reg.	S.	C.
Sec. 1. Ministerial officers of courts. Cl. 1. *Rules for appointment and removal in Z. or C. C.*	1. Provincial courts of appeal empowered to confirm the appointment, removal, and resignation of any native ministerial officers, and record-keepers attached to Z. and C. C. receiving salaries of 10 Rs. a month or more, (*see ch.* 12, *s.* 2, *cl.* 6, 12.)	8.09.	7	1
	2. Whenever a Z. or C. Judge may see reason to remove, or receive the resignation of, any such native officer, he may make a temporary appointment to supply the vacancy, but must report all changes whether of removal or resignation for the approval of the provincial court.			2
	3. Whenever a Z. or C. Judge may see reason to remove such native officer, he is to communicate to the officer the grounds of such opinion, and call upon him to state what he may have to urge in vindication; report of the circumstance, together with notice to, and the answer of, the officer, to be forwarded to the provincial court. in cases of gross misconduct, the officer to be suspended, and a substitute nominated until the orders of the court be obtained.	5.04.	6 16	
	4. Similar reports to be made in cases of vacancy occurring from death or otherwise.		7	
	5. Z. and C. Judges to propose successors to fill such vacancies, and to furnish a statement of the qualifications and character of such proposed successors.		9	
	6. Applications of resignation to be received, recorded, and transmitted to the provincial court.		5	
	7. Native officers, whose salaries may not amount to 10 Rs. per mensem, may be appointed and removed by the Judge to whose authority they may be immediately subject, the circumstances being always recorded. ..		14	
	8. No public offices to be subject to claims of inheritance, and may be abolished at the pleasure of the Gov. Gen. in C.		24	
	9. Gov. Gen. in C. or the S. D. A. may order the removal of any native officer on sufficient grounds. ..	8.09.	13	
Cl 2. *Prohibitions concerning.*	1. Z. and C. Judges prohibited from employing on their establishments any person being their creditor, or the relation or dependent of such creditor. the P. C. A. to enforce this rule on receiving reports of officers newly appointed or recommended, (*see ch.* 4, *sec.* 17, *cl.* 1.)	21.14.	2 3	
	2. Judicial officers prohibited from employing any of their private servants, or any persons not being authorized or nominated, to discharge any public duty whatever; breach of this rule to incur dismissal from office.	8.25.	2	1
	3. No public officers but peons to be kept in attendance upon judicial officers for any private purpose whatever.			2
	4. Provincial courts in sanctioning the appointment of native officers, to be careful not to pass orders in opposition to the above provisions (2 and 3), and to report any wilful infringement on the part of inferior authorities to the S. D. A.		3	
	5. Any native creditor or the relation or dependant of a creditor getting himself appointed in opposition to rule 1, to forfeit to Government a sum equal to 10 times the yearly salary of such officer.	7.23.	7	
Cl. 3. *Officers of P. C. A. and S. D. A.*	The provincial courts and S. D. A. may appoint, remove, and accept the resignation of any native ministerial or other officer on their respective establishments, excepting law officers of S. D. A. (*See s.* 4, *cl.* 23), without reference to Government (*a*). (*See Ch.* 12, *s.* 2, *cl.* 6, 13.)	8.09.	3	
Cl. 4. *Salaries and reports concerning.*	1. Complete statements of officers receiving salaries of 10 Rs. a month or more, and attached to Z. and C. C. to be forwarded to the provincial court, by which they will be forwarded to the civil auditor. (*b*.) ..		11	1
	2. Removals and appointments of officers receiving salaries of 10 Rs. and upwards, and attached either to Z. or C. C. or to P. C. A. to be reported by the provincial court to the civil auditor every month. ..			2
	3. The names of all such officers to be inthe statements forwarded to the civil auditor.	5.04.	22	
	4. No alteration in the fixed salaries of officers to take place, and no change either in their number or distribution to be made, without the express sanction of the Gov. Gen. in C.		23	
	5. The above rule repeated, and further all correspondence on the subject of the establishment attached to *zillah* and city courts to pass through the provincial court, who in forwarding such to the S. D. A. or to Government will express their own sentiments thereon.	8.09.	12	

(*a*) The C. O of S. D. A. communicate the permission of Government for the P. C. to entertain a head clerk at a salary of 300 Rs. per mensem. The C. O. of November 5, 1819, communicate the forms as drawn up by Government, with which pensions for native officers are to be applied for; and the C. O. of April 7, 1820, direct that the candidate shall swear to the truth of such statement forwarded, before a magistrate.

(*b*) By the C. O. of S. D. A. June 21, 1815, it is directed, that a list of the native officers of each court, with their designations and salaries, be suspended in every *kutcherree*.

Ch. 6. Native Officers, Reports, and Records.

		Bengal, &c. Reg.	S.	C.	Benares. Reg.	S.	C.	C. C. Provs. Reg.	S.	C.	
Sec. 1. Cl. 5. *Oaths and obligations.*	1. *Serishtadars, moonshees, nazirs,* and other head native officers (see Reg. XIII. 1793,) to subscribe a solemn declaration in open court on entering upon their duties.	18. 17.	2	2	—	—	—	—	—	—	
	2. Such declaration when signed to be attested by the Judge.			3			—			—	
	3. This rule applicable to native record-keepers and treasurers.		3								
	4. Courts may require *mochulkas* in such sum as may appear proper, as personal obligations from any of their native officers.	13. 93.	2		12. 95.	2					
Cl. 6. *General duties.*	1. Ministerial officers to perform all official acts prescribed to them by the Judges. ..		5			2		12*.03.	5		* To the Doab, &c. by S. 1805, 15
	2. Also to assist Registers employed in carrying orders of the court into effect (*c.*) ..		8								
Cl. 7. *Nazirs, their officers and peons.*	1. *Nazirs* to appoint their own *naibs, mirdahs,* and *peons,* subject to the sanction of the Judge, and are responsible for the good conduct of such ofcers. *(See Ch. 2, s. 4, cl. 2, 8)*	5. 04.	12		—	—	—	—	—	—	
	2. *Nazirs* to enter into *mochulkas* as penal obligations for such ofcers. ..	13. 93.	2		12. 95.	2		—	2		
	3. A register to be kept of such *peons* as may not receive a monthly salary. ..	26. 14.	14	2	—	—	—	—	—	—	
	4. *Nazirs* not to employ persons as *peons* who are not either duly registered or who may not receive regular salaries.			3			—			—	
	5. Distinguishing badges, applicable to the local divisions, to be given to the registered *peons;* such badges to be paid for out of the *talubanah* received by the *peons.* The Judge to have a table prepared of the police jurisdictions, with the distances of each central point, and a statement of the number of days for which *tulubanah* will be charged on serving process to the several local divisions.			4			—			—	
	6. Such table to be fixed up in the *kutcherry,* and no charge to be made in opposition to it.			5			—			—	
Cl. 6. *Rules concerning Tulubanah.*	1. The amount of *talubanah* chargeable to be specified on the back of every process, and such amount to be paid, and a receipt for the same to be endorsed on the process previous to such process being issued.			6			—			—	
	2. When more than one process is served by the same peon, the Judge to order what proportion shall be paid by the parties respectively.			7			—			—	
	3. Process being served and returned, the peon to receive three-fourths of the *talubanah* and the *nazir* the rest.			8			—			—	
	4. The Judge to prevent exactions on pretence of *talubanah* in every way possible...			9			—			—	
Sec. 2. Recordkeepers and Records.	1. Two native officers to be attached to all the courts of judicature, whether *zillah* or city, provincial or *sudder,* to keep the civil and criminal records. ..	18. 93.	2		18. 95.	2		13†.03.	2		† To the Doab, &c. by S. 1805, 17.
	2. These offices not to be considered as hereditary, and to be held during good conduct.		3			..			3		
	3. The record-keepers to keep a register of all the proceedings of their respective courts in the Persian and Bengalee languages for Bengal, in the Persian for Behar, and in the Persian and Hindoostanee for the other provinces; such register to be attested by the signature of the Register or Assistant upon each leaf; and the number of pages to be marked in his hand writing at the end of the volume (*d.*)		4			..			4		
	4. The number of the page in which any paper may be entered in this register to be endorsed on the back of such paper.		5			..			5		
	5. Record keepers to preserve the records from damp, and to see that they are not removed without orders from the Judge.		6			..			6		
	6. Record-keepers liable to dismissal whenever any records cannot be satisfactorily accounted for, or have been lost by their neglect.		7			..			7		
	7. Record-keepers to conform to all regulations respecting their offices and duties, and to obey all directions of their courts or of the registers of those courts. ..		8			..			8		
	8. The daily proceedings of every court to be entered in a book kept in the Persian and Bengalee languages for Bengal, and in the Persian language for the other provinces; every pleading and document of cases heard to be minuted by marks or numbers for reference in this register: the judge to attest this record with his signature.		9			..			9		
	9. Each provincial court to keep a similar register of its daily proceedings...		13			..			12		
	10. The same rule prescribed for the S. D.A.: a separate record to be kept of decisions.		17			..			15		
Sec. 3. Periodical reports. Cl. 1. *Monthly, from Z. and C. C.*	1. Monthly abstracts of causes decided, to be forwarded from the Z. and C. C. to the P. C. A. and to the S. D. A. separately and regularly by the 15th of each month ensuing (*e.*)		..			..			10		
	2. In the monthly abstracts of decisions from Z. and C. C. the decisions of the Judge, Register, and native commissioners to be separately specified under the heads of suits decreed, dismissed, or adjusted.	37. 95.	7	2	—	—	—		17		
									13	2	

(c) The C. O. of S. D. A. Nov. 30, 1815, recommend Judges to be particular in requiring the punctual attendance of their native officers at the expiration of the holidays.
(d) The C. O. of S. D. A. July 6, 1814, direct, that these registers shall always be submitted to the Judge of circuit at every sessions, who will report any neglect on the part of the record-keeper for the determination of the P. C. A. collectively—also, the two record-keepers are to be separately in charge of the two departments.
(e) The C. O. of S. D. A. August 27, 1795, direct, that any delay in such transmissions shall be accounted for, when the report is despatched; and the C. O. of May 21, 1824, direct, that during the rains papers shall be packed in two or three folds of country paper besides plain cloth.

Ch 6. Native Officers, Reports, and Records.	Bengal &c. Reg.	Bengal &c. S.	Bengal &c. C.	Benares. Reg.	Benares. S.	Benares. C.	C. C. Provs. Reg.	C. C. Provs. S.	C. C. Provs. C.
Sec. 3. Cl. 1. 3 Cases of appeal from Registers and native commissioners to be specified in such monthly reports of decisions. .. .. For all proposed forms, see the regulations. (For the monthly report of *moonsiffs*, see *Ch.* 10, *s.* 4. 1, and of *sudder ameens*, *ch.* 9, *s.* 7. of Registers at outstations *ch.* 8, *s.* 2, *cl.* 3.)	8. 94.	10					13.03	17 23	2
Cl. 2. From P. C. A. 1. Similar monthly abstracts of decisions to be forwarded by each P. C. A. to the S. D. A. by the 15th of the month ensuing.	18. 93.	16		18. 95.	2		13. 03.	13	
2. In such monthly reports from provincial courts, decisions on appeals and in original suits to be distinctly specified.	37. 95.	7	4	—	—	—		23	4
Cl. 3. Half-yearly from Z & C. C. 1. Half-yearly reports of cases remaining undecided to be forwarded from Z. and C. C. both to the P. C. A. and S. D. A. on every 1st January, and 1st July (*f*.)	18. 93.	12		—	—		—	—	
2. The number of suits pending before Registers to be specified separately in these reports, and the number of appealed suits from Registers and native commissioners which are pending before the Judge.	8. 94.	10						23	3
3. In these reports suits pending before Judges, Registers, and native commissioners to be separately specified.	37. 95.	7	3	—	—	—	—	—	—
For half-yearly reports from moonsiffs, see ch. 10, *sec.* 4, 3.; *from sudder ameens, ch.* 9, *s.* 7.									
Cl. 4. From P. C. A. 1. Similar half yearly reports of suits pending to be forwarded by each P. C. A. to the S. D. A. on the same dates.	18. 93.	16		—	—			14	
2. In such reports causes in appeal and original suits to be separately specified. ..	37. 95.	7	5	—	—	—		23	5
Cl. 5. From S. D. A. 1. On the same dates the S. D. A. to forward to the Gov. Gen. in C. an abstract register of all the causes decided by the Court during the preceding month.	18. 93.	18		—	—			16	
Sec. 4. Law Officers. Cl. 1. Qualifications. 1. Law officers to be persons of unblemished moral character, and well versed in the law.	12. 93.	3		11. 95.	2		11*.03.	3	
2. No person qualified to become law ofcer to any court, unless he may have obtained a certificate from the committee of examination (see the regulation) ..	11. 26.	5	1	—	—	—	—	—	
3. Any candidate for such situations to apply for examination before the committee appointed by the Gov. Gen. in C.; the result of such examination to be reported to the Gov. Gen. in C.; if such candidate be pronounced qualified, he will receive a certificate from the committee.		2							
4. Persons nominated by courts will be examined under orders from the Gov. Gen. in C. either by written interrogatories or at the presidency. ..	..	5	3,4		—	—		—	—
Cl. 2. Appointment. 1. Any vacancy occurring, by removal or otherwise, in the situation of law ofcer. to any court, the court connected with such vacancy may recommend a properly qualified successor, reporting his qualification to the Gov. Gen. in C. who will either confirm the nomination, order the person to be examined, or appoint another as he may think proper (*g*.)		4	2		—	—		—	—
2. Law ofcers. of the provincial, *zillah*, and city courts to be appointed by the Gov. G. in C.			1			—			
3. The appointment and removal of such ofcers. of the S. D. A. to be reported for the sanction of the Gov. Gen. in C.		3			—			—	—
Cl. 3. Removal and resignation. 1. Whenever a provincial, Z. or C. C. may see occasion to remove a native law ofcer. or *kazy*, (*see s.* 6.) such court to report the circumstances of the case to the S. D. A.; orders will be passed by that Court on the report. ..	8. 09.	4	2	—	—	—	—	—	—
2. The S. D. A. empowered to confirm the removal or resignation of such ofcer. ..			1			—			—
Cl. 4. Solemn Declaration. 1. On their appointment Mahomedan law ofcers. to subscribe a solemn declaration in open court as prescribed for other native ofcers.	18. 17.	2	2	—	—	—	—	—	—
2 *Pundits* to subscribe a solemn declaration under the same circumstances. .. (*For Dutch law officer see s.* 7.)	12. 93.	7		11. 95.	2		11. 03.	7	
Sec. 5. Charges of Corruption. Cl. 1. Against Ministerial Officers. 1. Ministerial ofcers. of civil courts amenable to their own courts on charges of corruption or extortion, and for embezzlement. (For summary trial of embezzlement, *see Ch.* 5, *s.* 11.)	13. 93.	9	1	12. 95.	2		12. 03.	12	1

* To the Doab, &c. by 3. 1805, 15.

(*f*.) The C. O. of September 19. 1818, dispense with one of the half-yearly reports, and direct that an annual one be sent upon the 1st January every year; as printed forms for all reports are now circulated by the S. D. A. it is thought useless here to refer to the numerous circular orders that alter, amend, and new-frame the existing form. The C. O. of S. D A. June 14, 1822, enjoin that Judges should themselves attentively inspect all reports.

(*g*.) Such reports, according to the C. O. of S. D. A. Nov. 28, 1811, are to specify the age of the candidates.

	Ch. 6. Native Officers. Reports, and Records.	Bengal, &c.			Benares.			C. C. Provs.		
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S	C.
Sec. 8 Cl. 1.	2. Charges of this nature being preferred and rejected in provincial courts against ministerial officers of such court, complainant may petition the S. D. A., and on his making oath that his complaint was rejected, the S. D. A. may issue a precept to the P. C. directing the complaint to be investigated (*See Ch.* 13, *s.* 9, *cl.* 1.)	13. 93.	9	2	12. 95.	2		12. 03	12	2
	3. Such charges having been preferred and rejected in any Z. or C. C. and secondly in the P. C. or if preferred and rejected in the latter only, the officer accused belonging to a Z. or C. C. the S. D. A. receiving the complaint may refer it for investigation to the original court.			3		..				3
	4. Under similar circumstances, P. C. A. receiving such charges after they have been preferred and rejected in a Z. or C. C. may refer the same for inquiry to such court (*See Ch.* 12, *s.* 13.)			4		..				4
	5. In all such cases, should the charge preferred have regard to any cause pending in the superior court, the reference for investigation may be made to the lower court without inquiring whether the complaint has been rejected in such court.			2 3 4						2 3 4
	6. Security not to be demanded from prosecutors making such charges; but during the inquiry the Judge may at any time require them to enter *hazirzaminy*. ..	10. 06.	10		—	—		—	—	
	7. Ofcers. found guilty on the above charges to refund any amount extorted, and to pay three times the sum as a fine to Government: copies of final decisions to be sent to the Gov. Gen. in C. who will determine whether such person be incapable of further service. Decrees to be executed, if not appealed in due time. ..	13. 93.	9	8	—	—	—	—	—	8
	8. Native ofcers. convicted in a civil action of extorting or corruptly taking money to be adjudged to refund the amount with interest, at such rate not exceeding 12 per cent. as the court may think equitable.	3. 27.	3		—	—		—	—	
	9. Ofcers. may prosecute persons bringing groundless charges against them, in the court to which they may be amenable.	13. 93.	9	12		..	..			12
	10. Charges of the above description against ofcers. to be treated as civil actions, and complainants to be enjoined to prosecute them as such.			7			..			7
	11. It is not necessary that civil actions should be instituted for recovering money extorted or corruptly taken; but if the injured party produce a certified copy of conviction before the court of circuit, with a petition on proper stampt paper, the civil court will cause the amount with interest to be refunded.	3. 27.	5							
Cl 2. *Against Law Officers.*	1. Law ofcers. amenable to their own civil courts on charges of corruption and extortion, under the same rules as ministerial ofcers., such rules being applicable to them.	12. 93.	8	1	11. 95.	2		11. 03.	8	1
	2. From decisions of provincial courts upon such cases, appeals to lie to the S. D. A.			2		..				2
	3. No decision whether of a Z., C., or P. C. adjudging the charges against law ofcers. to be proved shall be executed if not appealed within the prescribed period whatever may be the amount decreed, provided the law officers enter the security prescribed in such cases (*see Ch.* 2, *s* 4, *cl.* 2. 7). ..			3		..				3
	4. If not appealed within the prescribed period, such decisions to be enforced by the usual process: copies of such decrees to be forwarded to the Gov. Gen. in C...			4,5		..				4,5
	5. Copies of decrees passed by the S. D. A. and adjudging any law ofcer. guilty of corruption, to be forwarded to the Gov. Gen. in C. within one week after their being passed.			6		..				6
	6. Copies of decisions pronouncing charges to be not proved to be sent to the Gov. Gen. in C. by whatever court, if not appealed within the proper time. ..			8		..				8
	7. On such copies being forwarded to him, the Gov. Gen. in C. will determine whether the offender, on being convicted, shall be dismissed from office. The Gov. Gen. in C. also reserves to himself the power of suspending such officer during the trial of the charge, according as may appear from the report of any court or otherwise.			7		..				7
Cl. 3. *Criminal Prosecutions.*	1. If in the course of civil actions, such ofcer. accused (whether ministerial or a law ofcer.) be not adjudged to pay damages, yet still there appear grounds for a criminal investigation, he is liable to prosecution before the criminal court, and on conviction before the court of circuit or the Nizamut Adawlut, to be punished in conformity with Reg. II. 1813.	18. 17.	6	2	—	—	—	—	—	—
	2. Reports of all such convictions and sentences to be forwarded to the Gov. Gen. in C., who will determine whether such ofcer. be incapable of again serving Government.			3			—			—
	3. Such criminal actions may be instituted whether civil actions have been brought or not, and whatever may be the result (see cl. 2. 11.)	3. 27.	4		—	—		—	—	
	(For inquiries into embezzlement, see Ch. 5, *sec.* 11.)									

Ch. 6. Native Officers, Reports, and Records.	Bengal, &c. Reg.	S.	C.	Benares. Reg.	S.	C.	C. C. Provs. Reg.	S.	C.
Sec. 6. Kazies. Cl. 1. The Kazy ool Kazaut.									
1. The *kazy ool kuzaut* of Bengal, Behar, and Orissa, (the same person being *kazy ool kuzaut* of the other provinces,) to be appointed by the Gov. Gen. in C. and only to be removed for incapacity or misconduct.	39. 93.	2	1	49, 95.	2		46.*03	2	1
2. *Kazy ool kuzaut* to use a circular seal with his name and office inscribed upon it.			2			2			2
Cl. 2. Appointment of Mofussil Kazies.									
1. *Kazies* situated in towns or *pergunnahs* to use a circular seal, and only to be removed for incapacity or misconduct.		3	1		3			3	1
2. The Gov. Gen. in C. may abolish the situation of any *kazy*, when such office may appear unnecessary.			2		..				2
3. The Court of S. D. A. empowered to confirm the appointment or removal of *mofussil kazies*.	8. 09.	4	1	—	—	—	—	—	—
4. Any situation of a *mofussil kazy* becoming vacant to be reported by the Judge to the S. D. A. and a qualified successor to be recommended; the name of such candidate to be reported to the head *kazy*, who may report the incompetency or qualification of such person.			2			—			—
5. *Sunnuds* of appointments to be given to the *mofussil kazies* under the seal of the *kazy ool kuzaut*.	39. 93.	4		..	..		..	4	
6. The office of *kazy* not to be considered hereditary.		5			..			5	
7. Sections 5. 6. 7. 9. of Reg. V. 1804, extended to *kazies* (see sec. 1, cl. 1, 3. 4. 5. 6. of this chapter.)	5. 04.	10		—	—	—	—	—	—
Cl. 3. Misconduct and penalties.									
1. The respective Judges to report to the S. D. A. the incapacity or established negligence or misconduct of any *kazy* in his public duty; or any profligacy in private conduct.	39. 93.	6	1	..	..	..	..	6	1
2. It is also the duty of the *kazy ool kuzaut* to report every such instance of misconduct that may come to his knowledge.			2			..			2
3. *Kazies* liable to civil actions for any breach of duty prescribed to them by the regulations.		11			2			11	
4. Any *kazy* drawing up, attesting, registering, or recording any deed or writing not on stampt paper of the value required (see appendix to ch. 2.), liable to dismissal, and to a fine equal in amount to 20 times the prescribed amount of duty. ..	16. 24	7	2	—	—	—	—	—	—
No objection to be made against such deeds being on paper of a value higher than the stamp required.		8			—			—	
Cl. 4. Stations of.									
2. and C. Judges to report convenient centrical situations in the several *pergunnahs* for the residence of *kazies*, and the number required.	39. 93.	9		..	3		..	9	
Cl. 5. Duties of.									
1. The head *kazy* and each *mofussil kazy* to keep copies of all deeds and papers which may be drawn up or attested by them, together with a prepared list of such papers, that their successors may receive the records complete. ..		7			2			7	
2. Such *kazies* as are also commissioners, empowered to sell distrained property *(See Ch. 10, Sec. 6.)*	7. 99.	6		—	—		28. 03.	20	2
Cl. 6. Remuneration to.									
Mofussil kazies to exact nothing for preparing or altering papers and documents, for marriages or for other religious ceremonies, beyond what the parties may voluntarily give.	39. 93.	8		..	..		46. 03.	8	
Cl. 7. Regulations. The respective Judges to give *kazies* copies of translated regulations. ..		10			..		..	10	
Sec. 7. Dutch Law Officer at Hooghly.									
Attached to the *sillah* court at Hooghly, an officer called The Dutch Law officer and Fiscal to be appointed by the Gov. Gen. in C.; his duty being to expound the laws and usages in the settlement of Chinsurah.	18. 25.	9	1						
2. This officer to furnish translations of Dutch papers required by the courts of judicature, and generally to perform other duties required of him.			2						
3. The Fiscal's written opinion to remain in the record of the case *(See Ch. 4, for Dutch deeds)*			3						
4. The Fiscal to be a *sudder ameen ex-officio*.			4						

* To the Doab, &c. by R 8. 1805, 29.

CHAPTER VII.

VAKEELS.

		Throughout all the Provinces		
		Reg.	S.	C.
Sec. 1. Appointment. Cl. 1. *Vakeels generally*	1. The S. D. A. and P. C. empowered to appoint their own *vakeels*. Qualified natives of India to be selected for the office; the number of pleaders left to the discretion of the respective courts.	27. 14.	3	1
	2. *Vakeels* in the Z. and C. C. to be nominated by the Judges of those courts for the approbation of the P. C.: the age, character, and qualifications of candidates to be reported,—no person to practise as a *vakeel* without sanction from the P. C.			2
	3. *Vakeels* to be either Hindoos or Mahomedans;—preference to be given to candidates educated in any of the native colleges, if otherwise qualified.			3
	4. Native persons presenting certificates from any of the committees of native colleges, and applying to be appointed *vakeels*, to be so appointed, unless the number already attached to the court at which they apply, be such as to render any addition inconvenient.	11. 26	6	
	5. On their appointment *vakeels* to receive *sunnuds* (for form of *sunnud*, see appendix to the regulation); *sunnuds* need not be on stampt paper.	27. 14.	4	1
	6 On the death, dismissal, or resignation of any *vakeel*, his *sunnud* to be recalled and cancelled. ..			2
	7. Every *vakeel*, before he shall be allowed to practise, to take and subscribe an oath or a solemn declaration in open court—(no other oath required.)		5	
	8. Each court may make such distribution of the *vakeels* attached to it as it may think proper for the despatch of business;—Judges may allot *vakeels* to the courts of the Register and *sudder ameens*;—but *vakeels* of one court not to plead in another. *(a)*		16	
Cl. 2. *Government Vakeels and their duties.*	1. One or more *vakeels* of every court to be appointed for conducting suits carried on at the public expense; such *vakeels* to receive special *sunnuds* (see the form in appendix to the regulation.)		37	1
	2. On a vacancy occurring in the office of Government pleader, the Judge of the court merely to report the circumstance to the Judicial Secretary to Government.	8. 16.	7	2
	3. Government will appoint any *vakeel* of the court to the vacancy.			3
	4. The Government *vakeel* to conduct all causes for which he may receive an order from any authority empowered to superintend any civil suit, and to institute prosecutions at the public expense: the orders to conduct such suits to be filed in the proceedings.	27. 14.	37	3
	5. Government *vakeels* in no case to assist parties opposed to Government in civil suits. In other suits they may plead and be engaged as other *vakeels*.			4
	6. Government *vakeels* to receive the same fees in suits conducted at the public expense, as other pleaders generally; deposits on the part of Government not required.			5
	7. Where no special rule exists, Government *vakeels* to be guided by the general provisions for pleaders and pleading.			6
	8. Any authority empowered to institute and conduct public suits may associate a second *vakeel* with the Government pleader whenever it may appear expedient; such additional *vakeel* to receive *vakalutnamah*, and entitled to the same fees as if employed in a common suit.			7
	9. Government *vakeel* to conduct all public criminal prosecutions.		12	
	10. Government *vakeels* to undertake the causes of invalids free of costs at the desire of the collector, *(See ch. 11, s. 14. 7.)*	1. 04.	14	
Sec. 2. Misconduct. Cl. 1. *Incurring dismissal*	1. *Vakeels* liable to dismission for encouraging litigious suits;—for wilfully delaying the causes of their clients for their own advantage;—for refusing to carry on suits in which they have received a *vakalutnamah*;—for accepting any remuneration beyond the established fees;—for any official misconduct, or profligacy in their private habits. *(b)*	27. 14.	6	
	2. Also for entering into private agreements to plead causes for less than the established fees; such arrangements illegal and invalid, and the fees payable by the parties to be forfeited to Government. ..		7	
	3. Also for receiving and filing any *vakalutnamah* given by persons under fictitious names:—it being the duty of *vakeels* to prevent such fraud;—the Judge may mitigate this penalty at his discretion. ..		8	

(a) Upon a reference to Government regarding *vakeels* wearing slippers in court, orders were circulated that wherever it has been the established custom, such a practice is not to be prevented. *See C. O. of S. D. A, Oct. 12. 1803.*

(b) The C. O. of S. D. A. November 30, 1815, desire that the punctual attendance of *vakeels* at the expiration of the holidays be required.

	Ch 7. Vakeels.	Throughout all the Provinces. Reg.	S.	C.
Sec. 2. Cl. 1.	4. Also for artfully giving legal opinions which may tend to encourage litigation. ..	27. 14.	20	6
	5. Also for drawing up, attesting, registering, recording, or preparing any deed, instrument, or writing on paper not stampt as prescribed; such fault also to incur a fine equal to 20 times the amount of the duty required. ..	16. 24.	7	2
	6. Any *vakeel* filing or exhibiting any deed, writing, pleading, or other document not written on stampt paper as prescribed, besides dismissal, shall be liable to a penalty of 40 times the duty required. ..		7	1
	7. *Exception.*—No objections to be made against preparing such deeds on paper of higher value.		8	
Cl. 2. *Incurring other penalties.*	1. *Vakeels* liable to civil prosecution by their clients for any breach of the regulations, or for fraudulent conduct by which the latter may have been injured.	27. 14.	12	1
	2. Any *vakeel* absenting himself without notification on any fixed court day, liable to a fine not exceeding 50 rupees for a first offence;—not exceeding 100 for a second;—and to dismissal from office the third time. ..		14	1
	3. Also to a fine not exceeding 100 rupees for disrespect to the court.			2
	4. Any *sudder ameen* fining a *vakeel* of his own court, to report the circumstance to the Judge for his confirmation and enforcement or remission.		15	1
	5. Fines imposed by a Judge to be conclusive; that imposed by a Register may in particular cases be remitted or altered by the Judge, otherwise conclusive. Fines to be taken out of fees, or levied as in execution of decrees.			2
	6. Courts to censure *vakeels* for any irregularity in their pleadings, and to record such censure in the proceedings; any second irregularity to incur forfeiture of his fees in the suit, besides a fine not exceeding 20 rupees. ..		9	3
	7. It being prescribed that if the matter of any pleading or petition cannot be contained on one sheet of stampt paper, another sheet of the same value is to be joined to it; *vakeels*, on a breach of this rule, liable to a fine, not exceeding three times the value of the stampt paper required. *(See chap. 2. sec. 2. cl. 6.)* ..	26. 14.	5	4
Cl. 3. *Power to dismiss and punish.*	1. The S. D. A. and P. C. empowered to remove all *vakeels* of such courts for acts of misconduct or incapacity.	27. 14.	10	1
	2. Misconduct or incapacity of *vakeels* attached to any of the civil courts in a *zillah* or city to be reported by the Judge to the provincial court with his opinion;—the provincial court may require further information or pass orders thereon at once.			2
	3. Z. and C. Judges may suspend any *vakeels* for gross misconduct,—reporting the circumstance to the P. C. without delay. *(c.)*		11	
Sec. 3 Duties of vakeels.	1. *Vakeels* to see that every pleading they file is prepared according to the regulations, without needless repetitions or personal abuse, or imputations against any court of justice, or any irrelevant matter: *vakeels* to sign every pleading filed by them.	27. 14.	9	1
	2. *Vakeels* to inspect documents previous to their being filed, and to ascertain the points to support which parties may summon witnesses.			2
	3. *Vakeels* not to plead in criminal prosecutions without the sanction of the Judge; but the Government *vakeel* to conduct all public criminal prosecutions.		17	
	4. Courts may permit their *vakeels* to act as arbitrators in civil disputes; in such cases to act according to the provisions in force for arbitration—*(See Ch. 2, s. 8.)*		19	
	5. Pleaders to give written receipts (on plain paper) for all documents intrusted to them by their clients. ..		36	
	6. Every *vakeel* filing a petition in special appeal to endorse the same with a statement, that on examination he believes the grounds stated therein to be well founded and sufficient according to Sec. 2. of Reg. XVI. 1814.	26. 14.	2	3
	7. Translations of the regulations being constantly exposed in the public court-room, *vakeels* may at any time inspect and make extracts from them.	27. 14.	40	
	8. *Vakeels* to be required to take copies of regulations relating to the administration of civil justice. ..	11. 06.	12	
	9. *Vakeels* not required to attend on summary investigations in the interior of the district.	2. 21.	10	3
Sec. 4. Engagement of vakeels. Cl. 1. *Form.*	1. Parties always at liberty to plead and conduct their own suits.	27. 14.	38	
	2. A party in a civil cause desiring to entertain a *vakeel* shall execute a *vakalutnamah* in his name, binding himself to abide by all acts done by his *vakeel* in the suit: *vakalutnamahs* to be signed by the party and attested by two witnesses.		21	1
	3. *Vakalutnamahs* in Z. and C. C. to be on paper of 8 annas stamp;—in a P. C. A. on paper of 1 rupee stamp; in the S. D. A. on paper of 2 rupees stamp (according to sec. 18. Reg. I. 1814.) ..			2
	4. *Vakeels* having accepted *vakalutnamahs* prohibited from engaging with the opposite party. ..		22	
Cl. 2. *Change of vakeel.*	1. Any party being dissatisfied with his pleader, may make a representation to the court that he has withdrawn the power given to such *vakeel*, filing at the same time a new *vakalutnamah* in the name of another *vakeel*:—the acts of the first *vakeel* in the suit pending to remain, and he is entitled to renumeration at the discretion of the court.		12	2
	2. If a *vakeel* send notice to the court (on unstampt paper) that he is unable to attend on court day from sickness or other cause, the suits in which he is concerned to be delayed, unless the party be present or unless he appoint another *vakeel*, either temporarily or for the rest of the trial: such appointment to be made by the party or his *mokhtar* endorsing the original *vakalutnamah* to this effect; the court in such case to decide the proportion of fees to each *vakeel*.		13	

(c.) By the C. O. of S. D. A. July 25, 1811, an annual report of lands held by *vakeels* is required.

Ch. 7. Vakeels

		Throughout all the Provinces. Reg	S.	C.
Sec. 4. Cl. 2.	3. When a *vakeel* dies or is removed from office, proclamation to be affixed in the *cutcherree* of the Judge, the Register, the *sudder ameens*, and the Collector, with a list of cases in which such *vakeel* was engaged, requiring parties to appoint new *vakeels* within six weeks; endorsement on the former *vakalutnamah* sufficient to appoint such new *vakeel*.	27. 14.	18	1
	4. Parties failing to comply with this proclamation, or to show sufficient cause for not doing so, the case to be treated as default.		18	2
	5. Similar provisions for appointing *vakeels* in the P. C. A. and S. D. A. with exception that the period of the above proclamation in the P. C. A. to be two months, and in the S. D. A. three months. ..			3
	6. In cases of protracted indisposition of *vakeels*, the Court may adopt similar measures (*see rule* 4.) ..			4
	7. In any case of a second *vakeel* being appointed after the first has partly conducted a suit, the court may award to such *vakeel* (or his heirs in case of death) a fair proportion of the fees, unless forfeited by misconduct.			5
Cl. 3. *Engagement of two or more vakeels.*	1. Parties may employ two or more *vakeels* as they may desire; if the party agree to give each the full established fee, or to pay each in different proportions, this agreement to be specified in the *vakalutnamah*; and if not so specified, each *vakeel* to receive an equal portion of the fee deposited.		30	1
	2. One *vakalutnamah* only in such cases required, but the whole fees specified therein to be deposited in court. ..			2
	3. In the event of the party agreeing to pay the whole fees of each *vakeel*, the opposite party, if he lose the suit, never to be charged with more than the fees of one pleader.			3
Cl. 4. *Vakeels of Paupers.*	1. *Vakeels* may be appointed by courts to plead and conduct suits of paupers; *vakalutnamahs* not required in such cases (*see. ch.* 3, *s.* 3, *cl.* 1.)	28. 14.	7	1,2
Sec. 5. Legal opinions.	1. *Vakeels* entitled to receive fees for legal opinions.	27. 14.	20	1
	2. Any person desiring a legal opinion from a *vakeel*, to furnish him with a written statement of the matter under his own signature.			2
	3. After considering the regulations, usages, and precedents applicable to the question, the *vakeel* to return a written statement of his opinion, with the grounds thereof, under his own signature. ..			3
	4. If a *vakeel* so consulted belong to the S. D. A. he is entitled to receive 24 Rs. for such opinion, if to the P. C. A. 16 Rs. if to a C. or Z. C. 8 Rs.			4
	5. *Vakeels* being engaged in suits to receive no fees for opinions relating to such suits.			5
	6. *Vakeels* giving legal opinions tending to encourage litigation, liable to dismissal from office; and if engaged in suits instituted in consequence of such opinion, their fees to be forfeited to Government or returned to the party at the discretion of the court.			6
Sec. 6. Fees. Cl. 1. *Rates of Deposit.*	1. Parties to enter in court the fees for their *vakeels* (whether in original or appealed suits) before such *vakeel* shall take any steps in the suit, whether for prosecution or defence.		23	1
	2. The treasurer of the court to give unstampt receipts for deposits of fees, and to keep a register of such deposits. *For form of receipts or register, see appendix to the regulation.*			2
	3. Fees for miscellaneous petitions, applications, or motions in court, or in the suits of paupers, not to be deposited previous to filing such petition, &c. but on default of payment to be afterwards levied as a decree. ..		24	
	4. In cases of appeal, *vakeels'* fees always to be deposited in that court where the appeal will be received and tried.	26. 14.	8	4
	5. In special appeals, *vakeels'* fees to be deposited as in regular appeals.		2	4
	6. For summary appeals, fees for *vakeels* are not required to be previously deposited.		3	7
Cl. 2. *Rates of Fees in Regular Suits and Appeals.*	1. Table of fees in regular suits, or regular appeals, instituted in any court of judicature, and for property immoveable or personal.			
	In suits wherein the property claimed is not estimated above 5000 Rs. fee of *vakeel*, 5 per cent.			
	Do. do. not above 20,000 Rs. do. 2 per cent.			
	Do. do. not above 50,000 Rs. do. 1 per cent.			
	Do. do. not above 80,000 Rs. do. 8 as. per cent.			
	For claims above 80,000 Sa. Rs. the fee to be 1000 Rs. and never more. ..	27. 14.	25	1
	2. In all calculations of *vakeels'* fees, fractions of rupees to be rejected.			2
Cl. 3. *Particular cases.*	1. In the event of pff. or appt. obtaining a decree, whether for the whole or part of his claim, pff. or appt. to recover from the opposite party a sum in such proportion to the actual amount decreed, as the sum deposited by pff. in fees, was in proportion with the amount claimed in his plaint; this to be specified in the decree. ..		26	1
	2. If the suit or appeal be dismissed, pff. to be charged with the fees paid by deft. or respt.			2
	3. When justice and equity may seem to require deviation from the above rules, the court may charge pleaders' fees to parties at its own discretion.			3
	4. Decrees being awarded against paupers unable to discharge the amount of costs adjudged against them, the court may, if it think proper, authorize a proportion of the *vakeel's* fees deposited by parties gaining such suits, to be returned to them; always providing that the pleader is entitled to a reasonable remuneration. Every endeavour to be used to recover the proportion awarded to *vakeels* from the pauper cast. ..		28	
	5. Fees to be paid to *vakeels* immediately on decision of suits: this payment not be delayed by the institution of appeals.		29	
	6. If a suit be withdrawn or dismissed on default, before the requisite pleadings have all been filed, *vakeels* of either party to receive ¼th of the established fees; if withdrawn or dismissed after such pleadings have been filed and			

Ch. 7. Vakeels.

			Throughout all the Provinces.		
			Reg.	*S.*	*C.*
Sec. 6. Cl. 3.		completed, *vakeels* entitled to ½ the established fees; these always to be charged to the party withdrawing or suffering the suit to be dismissed on default.	27. 14.	31	1
	7.	This rule applicable to adjustment by *razeenamah*; fees, in such cases, to be charged as specified in the *razeenamah*.			2
		(See also, above; sec. 5. 4. 6. also Ch. 12, s. 3, 7. 11, also Ch. 11, s. 5, cl. 4. 1, Ch. 12, s. 3, 7. 11.)			
Cl. 4. *Fees in Summary Suits and Appeals.*	1.	*Vakeels'* fees in all summary appeals and summary suits to be settled and charged at the discretion of the court, but never to exceed in amount ¼ of what the fees would have been, had the cause been a regular suit or regular appeal.	{26.14. {19.17.	3 9	11 2
	2.	Such fees not to be deposited in the first instance—decision being passed, the court to appoint a time for the payment of such fees—if not paid accordingly, to be recovered as a decree, together with such additional sum, as the court may think the *vakeel* entitled to for the delay incurred.	19. 17.	9	3
	3.	Petitions for special appeals being rejected, *vakeels'* fees to be fixed at the discretion of the court; but never to exceed ¼ of what they would have been, had the appeal been admitted and tried.	26. 14.	2	7
Cl. 5. *Fees in Miscellaneous Cases.*	1.	*Vakeels* entitled to a fee of 4 ans. for every miscellaneous petition, application, or motion in court, (independent of suits in which they may have received *vakalutnamahs.*)	27. 14.	34	
	2.	Such fees to be paid as the party may agree with his *vakeel*; when the court may deem the *vakeel* deserving of further remuneration for such miscellaneous business, it may award a further sum (chargeable to either party as may seem fit); such sum never to exceed ¼ of what would have been the fee had the suit been regular. ..		35	
Cl. 6. *Fees in appeals from sudder aumeens and moonsiffs.*	1.	In appeals from *moonsiffs* and *sudder aumeens, vakeels* to receive the same fees, as if the suit of appeal were a regular original suit.		{46 {73	3
Cl. 7. *Receipts for Fees.*	1.	No deductions to be made from *vakeels'* fees; but receipts to be entered in court by *vakeels* on stampt paper, according to the prescribed provisions. *(See Appendix to Ch. 2, s. 2, cl. 3. 48.)*		25	3
	2.	If the whole amount of fees in different suits may not exceed 16 Rs. one receipt for such to be sufficient. ..	19. 17.	10	2
Sec. 7. Vakeels in courts of Moonsiffs and Sudder Aumeens.	1.	These provisions not applicable to *vakeels* of *moonsiff's* court, *(See Ch. 10, s. 2, cl. 2.)*	27. 14.	40	
	2.	The Judge to allot a certain number of authorized *vakeels* to the courts of *sudder aumeens.* The rules in force for the *vakeels* of Z. and C. C. applicable to them.	23. 14.	72	

CHAPTER VIII.

REGISTERS AND REGISTRY OF DEEDS.

		Bengal, &c.			Benares.			C. C. Provs.		
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.
Sec. 1. Duties of Registers, &c. Cl. 1. *Appointment, Oath, and General Duties.*	1. Registers to take and subscribe an oath previous to entering upon their duties (For oath, see Reg.)	13. 93.	3	1	12. 95.	2		12. 03.	3	1
	2. Registers to perform all official acts prescribed to them by the Judges of their courts.		5			..			5	
	3. Registers to procure all acts of the court to be executed.		8						..	
	4. Registers to receive a fixed salary in lieu of fees.	2. 21.	13		—	—		—	—	
	5. Registers to refrain from exercising any judicial powers but what are vested in them by the regulations. .. .. .. *(See s. 2, cl. 5, 2.)*	4. 96.	6		—	—			16	
Cl. 2. *Officiating as Judges.*	1. Should the office of Judge suddenly devolve upon a Register, from death, indisposition, or other casualty, report to be instantly made to Government; in the mean time, the Register is to confine himself to duties required by necessity in execution of orders from the P. C. A. or S. D. A. for the preservation of public peace and other emergencies.	4. 96.	5		—	—			15	
	2. Under such circumstances a Register may conduct all summary suits requiring immediate attention; may also enter on the file new suits instituted; refer to native commissioners such suits as are cognizable by them; try cases referable to himself; and in cases only cognizable by the Judge may receive pleadings, documents, and take the evidence of wsses., but this only in cases of urgency.	2. 05.	14	2	—	—	—	—	—	—
	3. In such cases Registers not to try appeals from native commissioners unless authorized to act as Judges, or vested with special authority to do so; (*see cl.* 4,) nor in any case to try appeals from himself In the event of sudden vacancy of the Judge's situation as above, or whenever the Register is acting for the Judge, should appeals from the Register's decisions be involved in considerable delay, the P. C. A. may, upon application by the parties, send for the case and try it as a common appeal. *(See Ch. 12, s. 13, cl. 1.)* (*a.*)			3						

		Throughout all the Provinces.		
		Reg	S	C.
Cl. 3. *Powers of Cognizance.*	1. Registers competent to try original suits to the amount of 500 Rs when referred to them by the Judge. ..	24. 14.	8	1
	2. From decisions on such suits, appeals to lie to the Judge.			6
	3. Decisions of the Judge final, unless the P. C. A. see sufficient reason for admitting a special appeal. (*See Ch.* 12. *s.* 10, 1.)			7
	4. Suits referred to registers may be recalled and tried by the Judge previous to decision. (*b.*) ..		10	
Cl. 4. *Extra Powers.*	1. Whenever the business in Z. or C. C. may be collected, the S. D. A., if the Register of such court be deemed properly qualified, may report to Government the accumulation of civil suits, with heir sentiments on the expediency of investing the Register with additional powers.		9	2
	2. On the receipt of such report, or on any other information before him, the Gov. Gen. in C. may invest the Register with all or any of the following powers.			3
	3.—1. To try and decide appeals from the decisions of *moonsiffs* and *sudder aumeens* when referred to him by the Judge: in such cases, the Register's decisions final, unless the Judge see reason to admit a special appeal. (*c.*) ..			4
	Exceptions.—Appeals from *sudder aumeens* in suits above 500 Rs. not to be referred to Registers. ..	4. 27.	2	5
	4.—2. To try original suits exceeding 500 Rs. in amount when referred by the Judge · such cases to be tried according to the general rules. (*d.*)	24. 14.	9	6
	From decisions in such cases, appeals only to lie to the P. C. A. under the same rules as apply to appeals from the Judge			10
	In such cases of appeal, or in other cases when the P. C. A. may issue orders relating to suits decided by or pending before a Register, processes to be sent through the Judge, who will himself comply with their orders, should the Register be prevented from doing so: returns from the Register to be made through the Judge...			4

(*a*) When Registers apply for leave of absence, Judges are to report the state of business pending before them. See C. O. of S. D. A. January 4, 1811.
(*b*) The C. O. of S. D. A. direct Z and C Judges to call for an explanation from Registers when they decide fewer than 15 cases a month
(*c*) The C. O of S. D. A explain that Registers, so empowered, are not competent to fine or suspend *sudder aumeens* or *moonsiffs* for misconduct.
(*d*) The C. O. of S. D. A. December 7, 1815, direct that such cases are to be tried as cases before the Judge; and that pleadings, &c. in them shall be on paper of 1 R. tamp.

Ch. 8 Registers and Registry of Deeds.

		Throughout all the Provinces.		
		Reg.	*S.*	*C.*
Sec. 1. Cl 4.	5. The above special powers not to be exercised without authority from the Gov. Gen. in C. and may be revoked by Government	24. 14.	9	12
	6. On the recommendation of the S. D. A. the Gov. Gen. in C. may invest *zillah* and city Registers with powers to try and determine appeals from the decisions of other Registers.	9. 19.	8	1
	7. No Register qualified to receive such powers until he may have been six years in the judicial department, and if vested with such powers only to try appeals from Registers junior to himself.			2
	Decisions past on such appeals open to special appeals to the P. C. A.			3
Cl 5 *Summary and Miscellaneous Cases.*	1. Petitions for the executions of decrees passed by *sudder ameens* or *moonsiffs*, may be referred for enforcement to Registers; their orders in such cases being appealable to the Judge, and specially to the P. C. A.	2. 21.	7	2
	The officers of the court to obey all orders of their Register in such cases.			3
	2. Registers competent to try and decide summary suits for arrears of rent or forcible dispossession, when the amount is not above such as they may be qualified to try in regular suits; if vested with special powers, such suits to any amount may be referred to them. The Judge may always recall summary and miscellaneous suits while pending.		9	
	3. Registers may try summary suits on indigo engagements, when referred to them by the Judge. (*e.*) *See Ch. 5, generally.*	6. 23.	6	
Cl 6. *Orders to be executed through the Judge.*	1. Registers not competent to refer summary suits to Collectors for investigation; but when they may think such reference would facilitate the decision, they may report such opinions to the Judge.	19. 17.	14	
	2. Any person committing wilful perjury, or guilty of subornation of perjury, in a matter pending before the Register, to be forwarded by the Register, with his proceeding and sentiments, to the Judge. (*See Ch. 1, s. 5.*)	17. 17.	14	2
	3. When a Register may desire to depute a *moonsiff* to make inquiries respecting any suits before him, he will forward the reference to the Judge, who will sanction the measure or otherwise, at his discretion.	23. 14.	77	
Cl 7. *Miscellaneous Duties.*	1. Registers may be employed by their Judges in signing and issuing any process of the court; or in taking depositions; such depositions to be taken in open court in presence of the parties or their *vakeels*, who will attest the same.	24. 14.	11	1
	2. Registers may in the same manner require their assistants or native officers to take depositions in suits pending before them.			2
	3. Registers or assistants to make all translations required from the courts, unless, in the estimation of the Judge, their avocations will not admit of it.	19. 97.	4	
	4. Registers and assistants may be deputed by their Judges to make local investigations within their districts, for determining boundary disputes or other judicial matters.	11. 24.	2	
	The Judge to determine what proportion of deputation charges are to be paid in such cases by the respective parties · such charge, the parties being indigent, or for other sufficient cause, to be paid by Government.		3	
	5. Registers of the civil court to conduct public sales of saleable tenures held by leases in perpetuity ordered to be sold under Reg. VIII. 1819. (For forms, see the regulation and *Ch. 4, s. 9, c. 3.*)	8. 19.	9	
Sec. 2. Additional Registers. Cl. 1 *Appointment and Powers.*	1. The Gov. Gen. in C. may appoint one or more as second and third Registers to any Z. or C. C.	24. 14.	12	2
	2. The Gov. Gen. in C. may station the Register or Registers at some separate place within the jurisdiction of the court, providing a court-room for holding his proceedings.			3
	3. The judicial powers of such registers to be the same as other registers, to try all suits referred to them by the Judge, according to the authority vested in them.			6
	4. The Gov. Gen. in C. may vest a Register, separate from the sudder station, with power to receive in the first instance and try summary suits for arrears of rent or any other causes summarily cognizable, within prescribed local limits.			7
	In such cases Registers to proceed as if they had been referred by the Judge.			8
	5. If such Register have the authority of Joint Magistrate, the Gov. Gen. in C. may invest him with powers to receive and try summary suits which may be within any part of his jurisdiction as Joint Magistrate.	2. 15.	2	
	Such cases to be conducted upon the provisions that relate to other summary suits received and tried by the Register. (*See Ch. 5.*)		3	
	6. The proceedings of the Register in such cases, when completed, to be forwarded to that Judge to whose jurisdiction they had reference.		4	
	7. Registers so stationed apart from the district court may receive on institution, and try any original suits or appeals, otherwise referable to him, on the powers with which he may have been vested, of which suits the cause of action may have arisen within the jurisdiction in which he is Register, and acting as Joint Magistrate.	2. 21.	11	2
	8. On a regular suit or appeal being so instituted and entered on the file, copy of the plaint, and of other necessary papers connected with it, to be sent to the Judge of the district, who may call for the suit to his own court, or authorize the Register or *sudder ameen* stationed with him to try it. If the Judge send for the suit, it is to be prosecuted by the pff. in his court.			3
	9. Such Register may execute, on being petitioned, the decrees of *sudder ameens* and *moonsiffs* within his jurisdiction, or refer the latter to the *sudder ameens* stationed with him: appeals from orders of the *sudder ameens* to be presented to the Register in the first instance. (*f.*)		12	

(*e*) The C. O. of S. D. A. explain that Registers are competent to proceed against persons for resistance to their process; and from the C. O. of March 19, 1817, it appears they may commit for perjury.

(*f*) From the Government orders, communicated by C. O. of S. D. A. Oct. 28, 1825, it appears, that additional Registers may apply direct to P. C. A. for the appointment of *sudder ameens* in their jurisdictions.

Ch. 8 Registers and Registry of Deeds.	Bengal &c. Reg.	Bengal &c. S.	Bengal &c. C.	Benares. Reg.	Benares. S.	Benares. C.	C. C. Provs. Reg.	C. C. Provs. S.	C. C. Provs. C.
Sec. 2. Cl. 1. 10. The Gov. Gen. in C. may vest such Register with power to receive and try original suits relating to any part of the jurisdiction over which he has the power of Joint Magistrate, and to the court of which parts he is not attached as Register.	3. 24.	2	1	—	—	—	—	—	—
11. All other provisions relating to original suits before such Registers, applicable to these cases.			2			—			—
Cl. 2. *Process.* 1. All processes of Registers so stationed to be issued under their own seal and signature, and executed by their own officers, in concurrence with the officers of their district courts.	24. 14.	12	4	—	—	—	—	—	—
2. Judges and their officers to aid the execution of all such processes: resistance to such processes liable to all the penalties prescribed in similar cases.			5			—			—
Cl 3. *Periodical Reports.* 1. The monthly and half-yearly reports, prescribed generally, to be sent by such Registers, to the court to which they may be attached, and with the reports of which they will be incorporated. *(g.)*	24. 14.	12	10	—	—	—	—	—	—
2. Or to those courts in the jurisdiction of which the suits reported may have occurred.	3. 24.	2	3	—	—	—	—	—	—
Cl. 4. *Correspondence.* 1. All official correspondence addressed by Registers, so stationed, to other public authorities, to be forwarded through the Judges of the Z. or C. C. unless the affair require despatch, in which case, the communication being sent direct, a copy is to be forwarded to the Z. or C. Judge. *(See the general exceptions in Ch. 1, s. 10.)*	24. 14.	12	11	—	—	—	—	—	—
Cl. 5. *General Rules.* 1. When the regulations may not prescribe, Registers so stationed to be guided in forms and practice by instructions from the S. D. A.			12			—			—
2. Any misconduct of registers or assistants to be reported by the Judge to the S. D. A.	13. 93.	10		12. 95.	2		12. 03.	13	
Sec. 3. Register of the S. D. A. 1. Register of the S. D. A. to call special sittings of the court on the orders of the Chief Judge.	2. 01.	6		—	—		5. 03.	2,3	
2. All orders and precepts of the court to be attested by the Register *(passim.)*	6. 93.			10. 95.			..		
3. At the end of each month, the Register of the S. D. A. to submit to the court monthly abstracts of decisions received from the P. C. A. and Z. or C. C., with a report showing the number of decisions in each civil court.	37. 95.	2 3		—	—		13.03.	18 19	
4. On the 15th February and the 15th August, every year, the Register of the S. D. A. to submit to the court a report on the half yearly abstracts received from the P. C. A. and Z. or C. C. showing the number of suits pending in the several civil courts, *(h.)*		4 5			— —			20 21	
5. In such reports the Register of S. D. A. to notice all omissions in the abstracts received from the courts, with the reasons assigned.		6			..			22	
6. The Register of the S. D. A. may be directed by the court to take the depositions of wses. in suits before the court. *(See Ch. 13, s. 5, cl. 2, 1, and cl. 6.)*	6. 93.	16		10. 95.	2		5. 03.	16	
Sec. 4. Registry of Deeds. Cl. 1. *Deeds to be registered.* 1. An office for the registry of deeds to be established in every *zillah* or city, to be superintended by the Register, who will take an oath on receiving charge of the office. (For oath see the Reg.)	36. 93.	2		28. 95.	2		17. 03.	2	
2. *Deeds authorized to be registered:*—deeds of sale or gift; deeds of mortgage or certificates of redeemed mortgages; leases and assignments of property, including temporary conveyances of property, wills, authorities to wives to adopt sons after the demise of husbands.		3			.			3	
3. Also engagements of indigo planters (whether European or native), for the delivery of the plant.	20. 12.	2	1	—	—	—	—	—	—
4. Also, bonds, promissory notes, and obligations for money.		5	1		—	—		—	—
5. Registers are not warranted in registering any deeds not specified in the regulation.		7			—			—	
Cl. 2. *Rules of Registering.* 1. Registers to notify, in some public part of their office, what hours they will attend to register deeds.	36. 93.	13		..	..			13	
2. Registry of deeds to be made in the office of the Register of the district; if the property affected by such deeds be situated in more jurisdictions than one, the deeds are to be registered in the office of each.		7			2			7	
3. Each description of deed to be registered in a separate book, to be regularly paged.		8	1					8	1
4. Every deed or entry in the registry to be numbered: the date and hour of registry to be noted on the margin.			2						2

(g) The C. O. of S. D. A. Aug. 13, 1824, direct that such Registers, whenever they may decide less than 15 cases in any month, are to add an explanation to every monthly report they may forward to each *zillah* court with which their jurisdiction is connected.

(h) One of these reports is dispensed with by the C. O. of S. D. A.

Ch. 8. Registers and Registry of Deeds.		Bengal, &c.			Benares.			C. C. Provs.		
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.
Sec. 4. Cl. 2.	5. Persons having deeds for registry to attend in person or by an authorized agent, with the original deed, and an exact copy attested by at least one party in the engagement, and one witness to the execution.	20. 12.	2		28. 95.	2		17. 03.	8	2
	6. On presentation of the deed, the person executing the same or his agent, attending with one or more witnesses to the execution of it, shall prove by oath the execution of the deed.	36. 93.	9	2	..	..		..	9	2
	7. The validity being thus proved, the Register to specify on the back of the copy furnished by the party, the date and hour on which the deed was brought for registry, and to file such copy in the records; entering also in the register book the date and hour on which the entry was completed and inspected by him. ..	20. 12.	2	1	—	—	—	—	—	—
	8. The entry being completed, the original deed to be endorsed with a certificate as to the date and hour of registry, as well as the page of the register book, under the signature of the Register.			2			—			—
	9. The entry in the register book to be made, if possible, at the time when the copy is endorsed; but never to be postponed beyond the day of such endorsement.			3			—			—
	10. The above certificate of the Register to be considered by the courts as sufficient evidence of its registry.	36. 93.	10		..	..		17. 03.	10	
Cl 3. *Inspection and Copies.*	1. The Register shall allow all persons, on application, to inspect the copies of deeds attested and filed as above prescribed.	20. 12.	2	4	—	—	—	—	—	—
	2. Also inspection of the registry books to be allowed in the same manner. ..	36. 93.	11		..	..		..	11	
	3. The Register to grant copies, on application, of all registered engagements, if the originals be lost or not forthcoming; such copies to be received as sufficient evidence in courts of judicature; the execution being proved by the witnesses to the original deed.	20. 12.	2	5	—	—	—	—	—	—
	4. All these rules made applicable to indigo engagements, bond or money obligations.		3,5							—
Cl. 4. *Rules of Record.*	1. Persons counterfeiting or falsifying entries in the register books to be prosecuted criminally; the Register, on the part of Government, to conduct such prosecutions.	36. 93.	12		..			17. 03.	12	
	2. An index to be added to the register books.	20. 12.	9		—	—		—	—	
	3. Powers of attornny produced by agents, causing deeds to be registered, to be kept in a separate book.		10			—			—	
Cl 5. *Validity given by Registry.*	1. It is optional to all persons to register or not to register deeds, executed before the date on which the regulation had effect (in each province). ..	36. 93.	4		28. 95.	2		17. 03.	4	
	2. It is optional also to register leases and assignments, wills and authorities for adoption of sons executed *after* the date of the regulation. The rights of persons not to suffer for the non-registry of deeds.		5			..			5	
	3. Deeds of sale or gifts, dated subsequent to the enforcement of the regulation (in each province), if registered and authenticated in court, to invalidate any other such deed for the same property (not registered) whether it be prior or subsequent to the registered deed.		6	1		..			6	1
	4. Deeds of mortgage under the same circumstances, when registered, to be satisfied before other deeds of mortgage unregistered, whether of an earlier or later date.			2		..				2
	5. But if a person shall register any of the above deeds, knowing at the time that the property interested in the deed has already been bound or transferred by a similar engagement earlier than his own, and this circumstance be established in court, the registry of the latter deed shall not invalidate the former or be held to have a superior claim.			3		..				3
	6. Indigo engagements registered (although it is optional with the parties to register them) to have a superior claim to any other such engagement (unregistered) for the produce of the same lands, whether the latter engagement be earlier or subsequent to the former.	20. 12.	3	3	—	—	—	—	—	—
Cl. 6. *Fees.*	1. The Register is entitled to a fee of 2 Rs. for every engagement registered, to be paid by the party registering; 1 rupee for every copy of a registered deed furnished to applicants; and 8 annas for inspection of the registry books: any such official acts may be refused until the payment of such fees. ..	36. 93. 20. 12.	14 4		..	4		17. 03.	14	
	2. An English account of fees to be kept.	36. 93.	8		20. 12.	5	2	—	—	—

Ch. 8. Registers, and Registry of Deeds.	Bengal, &c.			Benares.			C. C. Provs.		
	Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.
Cl. 7. *Appointment of a substitute.* 1. The office for the registry of deeds to be at the *sudder* station, and to be under charge of such Register as is attached to the Z. or C. C.; if any thing prevent the Register from performing his duty, he may appoint a covenanted servant to act as deputy (under sanction of the Judge); such deputy to take the prescribed oath of office.	4. 24.	2		—	—		—	—	
2. If a Register in charge of the office leave the station without appointing a deputy, the Judge may appoint some qualified covenanted servant to officiate. ..		3			—			—	
3. As also when a vacancy occurs in the situation of such Register.		4			—			—	
4. If there be no qualified person at the station, the Judge to perform the duties himself.		5			—			—	
5. All registry of deeds, so performed by the Judge or other covenanted servant appointed by him, previous to the date of this regulation, to be held valid. ..		6			—			—	
6. A deputy, appointed as above, to receive the fees of registry; but when the Judge shall perform the duties, the fees, deducting the expense of the establishment, to be credited to Government.		7			—			—	
Cl. 8. *Supervision by the Judge.* 1. The Judge to countersign the endorsements on the copies filed in the office, as well as the transcripts of deeds in the registry book.	20. 12.	6	2	—	—	—	—	—	—
2. The Judge to report to Government any errors or irregularities in the conduct of this office by the Register.			3			—			—

CHAPTER IX.

SUDDER AUMEENS, THEIR COURTS AND DUTIES.

		Throughout all the Provinces.		
		Reg.	S.	C.
SEC. 1 APPOINTMENT, &c.	1. When the number of *sudder aumeens* in a Z. or C. C. require to be increased or diminished, the P. C. A. shall report the grounds of such opinion to Government. (*a*)	4.27	3	
	2. Law officers of each *zillah* or city, to be *sudder aumeens ex-officio*. (*b*)	23.14.	62	
	3. The Fiscal or Dutch law officer, attached to the court at Hooghly, to be a *sudder aumeen ex officio*, with full powers.	18.25.	9	4
	4. Other *sudder aumeens* to be nominated by the Z. and C. Judges, under the approbation of the P. C. A. and not to enter upon their duties until such sanction be received, *(see rule 1.)*	23.14.	63	
	5. Upon the death, removal, or resignation of any *sudder aumeen*, the Judge, nominating his successor for the approbation of the P. C. A. may commit all papers and records to the charge of such successor, or otherwise dispose of them for the time being.		48 73	
	6. In the choice of *sudder aumeens*, Judges not to select from any particular class or religious persuasion, but any person qualified is eligible; particular statement to be sent to the P. C. A. of the qualifications, age, country, and character of candidates proposed.		64	
	7. The commissions formerly given to *sudder aumeens* being cancelled, *sunnuds* (form given in the appendix of the regulation) to be granted instead.		65	1
	8. Law officers before *sudder aumeens ex-officio*, need not receive *sunnuds*.			2
	9. *Sudder aumeens* to receive a monthly salary in lieu of fees.	13.24.	2	2
	10. Every *sudder aumeen*, on entering upon his duties, to take and subscribe an oath (form given in the appendix of the regulation) before the Judge in open court: when he may think proper, the Judge may substitute a written declaration in lieu of such oath.	23.14.	66	
SEC. 2. STATION OF COURT.	1. The *sudder aumeens* to hold their *kutcherries* at the station of the court, wherever the Judge may direct. ..		67	
	2. When a Register may be stationed at a distance from his court, one or more *sudder aumeens* may be appointed to the same place; the general provisions regarding powers and compensations applicable to such *sudder aumeens*.	2.21.	6	
	3. *Sudder aumeens* being so stationed, the Register of the place may refer suits originally instituted on his file, according to the powers of the officer. (*c*)		11	3
	4. Reference of suits from the Judge to such *sudder aumeens*, subject to the general rules. (*See Ch. 1, s. 9, cl. 2.*)			
SEC. 3. MISCONDUCT.	1. Judges to report any grounds for the removal of *sudder aumeens* to the P. C. A.: if guilty of exaction or gross misconduct, the Judge may suspend such officer, reporting the circumstance without delay to the P. C. A.: for misconduct of a less heinous nature, the Judge may impose a fine not exceeding 20 Rs.: removal from office not to take place unless the P. C. A. see sufficient reason.	23.14.	67 10	1
	2. *Sudder aumeens* amenable to the Judge's court for extortion or abuse of authority; costs and equitable damages to be awarded against them on proof of the charge: also liable to criminal prosecutions for extortion or corrupt practices in any part of their duty; on proof before the court of circuit liable to fine and imprisonment. But *sudder aumeen* not to be prosecuted for breach of forms or errors in judgment; process not to be served upon such officer, unless the Judge be satisfied by evidence that the charge is well founded. ..		67 10	2
SEC. 4. POWERS OF COGNIZANCE. Cl. 1. *Original suits.*	1. Original suits for money, land, or any property of a value not exceeding 150 Rs. may be referred for trial to *sudder aumeens*.	..	68	
	2. The S. D. A. may invest *sudder aumeens* with powers to receive and try original suits for 500 Rs. and under.	24.14 2.21.	7 5	2 1
	3. When so empowered, suits to that amount may be referred to them.			2
	Appeals from decisions in such suits to lie to the Judge.	24.14. 2.21.	8 5	6 4
	Such suits to be tried on the general provisions for other suits before the *sudder aumeens*.	..	..	3

(a) The C. O. of March 12, 1817, communicate the sentiments of Government in regard to the distribution of *sudder aumeens*, and contain other directions, especially that *sudder aumeens* shall account for not deciding 30 suits a month, exclusive of nonsuited and *razeenamah* cases.

(b) The orders of Government, communicated in C. A. of S. D. A. April 2, 1824, fix the salaries of such *sudder aumeens*, at 100 Rs. and of others at 140 Rs. per mensem, besides 30 Rs. for native officers. By the C. O. of March 17, 1826, 10 Rs. are added for stationary.

(c) From the correspondence circulated by the C. O. of S. D. A. October 28, 1825, it appears, that additional Registers may recommend the appointment of *sudder aumeens* direct to the P. C. A.

Ch. 9. *Sudder Aumeens, their Courts and Duties.*

		Throughout all the Provinces. Reg	s.	c.
Sec. 4. Cl. 1.	4. The S. D. A. may invest *sudder aumeens* with power to try and determine suits amounting to 1000 Rs. ..	4. 27.	2	1
	Appeals in such cases to be tried only by the Judge.			5
	Such cases to be tried in conformity with the rules of Reg. XXIII. 1814.			4
Cl. 2. *Appeals.*	1. Appeals from the decisions of *moonsiffs* may be referred for trial to *sudder aumeens* for the sake of despatch. ..	23. 14.	75	1
	2. *Sudder aumeens* to keep a separate register book of such appeals; and in their monthly and half-yearly reports to distinguish cases of appeal from original suits. Decisions upon such appeals only open to a special appeal before the Judge.			2
	3. Such causes of appeal to be tried by *sudder aumeens* according to the provisions that relate to appeals before the Judge.			3
Cl. 3. *Miscellaneous.*	1. Petitions for the execution of decrees of *moonsiffs* may be referred to *sudder aumeens* for enforcement; an appeal from orders in such cases lying to the Judge, and specially to the P. C. A. ..	2. 21.	7	2
	All orders of *sudder aumeens* in such cases to be executed by officers of the Z. or C. C.			3
Cl. 4. *Rules for Reference of Suits.*	1. No suit to be referred to a *sudder aumeen*, in which either he or any of his people or the *vakeels* of his court may be concerned. ..	23. 14.	68	
	2. Suits likely to involve questions of Hindoo or Mahommedan law are to be referred to such law officer respectively, in preference to other *sudder aumeens*. ..		69	
	3. The prohibition against referring suits concerning Europeans rescinded. ..	4. 27.	2	2
Cl. 5. *Suits of Paupers.*	1. Suits in which either party may plead *in formâ pauperis* may be referred to *sudder aumeens* for trial. ..	13. 24.	4	2
	2. The general provisions concerning paupers applicable to paupers in such cases, but no person to be admitted by the *sudder aumeen* as a pauper, without a written order from the Judge or Register, (if at a separate station.)			3
	3. *Sudder aumeens* may, on petition to plead as paupers from parties, inquire into the circumstance of poverty (as directed by Reg. XVIII. 1814, Sec. 5); but no final order to be passed for the admission of a pauper suit without the sanction of the Judge or Register.—*(See Ch. 3, s. 3, cl. 1. 5, &c.)*			4
Sec. 5. Conduct and Trial of Suits. Cl. 1. *Stamp Duty.*	1. In lieu of the institution fee formerly prescribed, stamp duty to be paid on the plaint, according to the following scale; amount of suit not being above 16 Rs. plaint to be on paper of 1 R. stamp. „ being above 16 Rs. but not above 32 Rs. „ 2 Rs. stamp. „ 32 Rs. „ 64 Rs. „ 4 Rs. stamp. „ 64 Rs. „ 150 Rs. „ 8 Rs. stamp.	23. 14.	70	
	(For suits of higher amount, see the scale in Ch. 2, s. 2, cl. 1 3.)			
	2. In original suits and appeals referred to *sudder aumeens*, if the suit be adjusted by *razeenamah* before the pleadings are completed and read, the whole of the stamp duty to be returned to the pff.; if the *razeenamah* be filed after the pleadings have been heard, a moiety of the stamp duty to be returned to the pff. ..	13. 24.	3	2
	3. A monthly statement of stamp duty so receivable by the parties, to be forwarded to the Judge by *sudder aumeens*; the Judge will cause the amount to be paid to the parties from the treasury of the court. ..			3
Cl. 2. *Plaint.*	See s. 2. cl. 4. 2. of chap. 10,—this rule being extended by Reg. XXIII. 1814, 73, to *sudder aumeens**.			
Cl 3. *Security.*	See s. 2. cl. 7, of chap. 10, extended by do.			
Cl. 4. *Pleadings.*	See s. 2. cl. 8. 5. of chap. 10, extended by do.—The rest of the rules concerning pleadings in the courts of *moonsiffs* not extended.			
Cl. 5. *Pleaders.*	Judges will allot to the courts of *sudder aumeens* a certain number of *vakeels*, who will be subject to the rules in force for *vakeels* attached to Z. and C. C. *(see ch. 7)*: suits to be pleaded in the courts of *sudder aumeens* by parties or their authorized *vakeels*.	23. 14.	72	
Cl. 6. *Witnesses.*	1. See s. 2. of chap. 10. cl. 10, 12, 13, 14, 15, 16, extended by Reg. XXIII. 1814, 73.			
	2. Wsses. guilty of wilful perjury before a *sudder aumeen*, to be forwarded to the Judge with his proceedings and sentiments on the case.	17. 17.	14	2
Cl. 7. *Exhibits.*	See s. 2. of chap. 10. cl. 11. the whole of which is extended to *sudder aumeens* by Reg. XXIII. 1814, 73.			
Cl. 8. *General Trial.*	1. *Sudder aumeens* are themselves to investigate suits referred to them in a public court-room, and not to allow persons to interfere in the trial.	23. 14.	71	
	2. See s. 2. cl. 9, 1. 5. of chap. 10. extended by Reg. XXIII. 1814, 73.			
Cl. 9 *Decision of Suits.*	See s. 2. cl. 13. of chap. 10. the whole of those rules being extended by ditto			
Cl. 10. *Execution of Decrees.*	See s. 2. cl. 14. 1, of chap. 10. extended by ditto; the rest of the rules in that clause are not extended.			

* For process, *see sec. 8.*

Ch. 9. Sudder Aumeens, their Courts and Duties.

		Throughout all the Provinces. Reg.	S.	C.
Sec. 6. Appeals from Sudder Aumeens.	See *s.* 3. of chap. 10. extended by do.			
Sec. 7. Periodical Reports.	See s. 4. of chap. 10. extended by do.			
Sec. 8. General Rules for Process and Fines.	1. When express rules are not prescribed, *sudder aumeens* to be guided by the provisions in force for Z. and C. C. (*i*) : every process of *sudder aumeens* to be issued under the seal and signature of the Judge or Register, and to be executed by the officers of the Z. or C. C : all fines imposed by *sudder aumeens* to be reported to the Judge or Register for enforcement and confirmation.	23. 14.	74	
	2. *Sudder aumeens* being competent to impose fines for contempt of court, may commute such fine to two months imprisonment ; such orders not to be enforced until confirmed by the Judge or Register. .. .. *(See also Ch. 7, s. 2, cl. 2. 4.)*	12. 25.	6	2
Sec. 9. Extra duties.	1. *Sudder aumeens* may be required to investigate matters of account, of fact, or usage essential to any case under trial before the Judge.	23. 14.	76	1
	2. The instructions given to *sudder aumeens* on such occasions are to specify whether merely the proceedings or the opinion also of the officer deputed are required to be furnished.			3
	3. If any necessary expense has been incurred by *sudder aumeens* in the course of such inquiries, the Judge may order payment of the same to be made by one or both of the parties.			5
	4. *Sudder aumeens* may be employed in the sale of personal property or *lakhiraj* lands in execution of decrees. *(See Ch. 2, s. 3, cl. 6.)*	7. 25.	3	1
Sec. 10. Rule for Chittagong.	*Sudder aumeens* in *zillah* Chittagong, to whom suits for rights in landed property may be referred, are to affix in their *kutcherries*, a public requisition that all persons concerned in such lands shall prefer their claims : decrees to specify the rights of all claimants.	23.14.	59 73	3

(*i*) According to this Rule, when the above references do not supply all the necessary directions, reference must be made to the same subjects in ch. 1 or ch. 2

CHAPTER X.

MOONSIFFS, THEIR COURTS AND DUTIES.

		Throughout all the Provinces.		
		Reg.	S.	C.
Sec. 1. Establishment, &c. Cl. 1. *Jurisdiction, &c.*	1. Z. and C. Judges to arrange the establishment of *moonsiffs* according to the jurisdictions of the police *thannahs*; and to report to the P. C. A. centrical stations convenient for their courts.	23. 14.	6	1
	Exception.—A *moonsiff* to be situated in the town of Juggunnayth Pooree, *zillah* Cuttack*. ..		56	
	2. The *moonsiffs'* jurisdictions to have the same denominations as the local *thannahs*. ..		6	2
	3. The number of *moonsiffs* to be regulated by the number of police divisions.			3
	4. On the Judge's report, that the business of any division is excessive, the P. C. A. may augment the number of *moonsiffs*.	2. 21.	2	
	5. The P. C. A. may at any time comprise the jurisdictions of two police divisions under one *moonsiff*, or change the station of a *moonsiff's* court, when it may appear expedient.	23. 14.	7	
Cl. 2. *Appointment, removal, and selection of.*	1. Z. and C. Judges to select any qualified persons, being either Hindoos or Mahomedans, for the office of *moonsiff*; preference always to be given to the *kauzies* of *pergunnahs*.		8	1
	2. Judges to report to P. C. A. the age, character, and qualifications of persons, whom they may recommend to the office; no person to do the duties until his appointment be sanctioned.			2
	3. A vacancy occurring in the office of *moonsiff*, the Judge, nominating a successor, may either give him charge of the papers and records, or dispose of them otherwise.		18	
	4. Z. or C. Judges to report to P. C. A. whenever they may see grounds for the removal of a *moonsiff*; the court, passing orders on such report, may either adopt the suggestion of the Judge, or institute further inquiry.		9	1
	5. The Z. or C Judge may suspend any *moonsiff* guilty of gross misconduct; reporting the circumstance to the P. C. A. without delay.			2
	6. In cases of less misconduct, the Z. or C. Judge may fine a *moonsiff* as far as 20 rupees; this order being final.			3
	7. No *moonsiff* to be dismissed unless the P. C. A. see sufficient reason.			4
Cl. 3. *Penalty for corruption.*	1. *Moonsiffs* amenable to the civil court for extortion or abuse of authority or corruption; on proof of the charge, the Judge to award costs and damages against them.	23. 14.	10	1
	2. *Moonsiffs* amenable also to the criminal court for corruption or extortion, and on the charge being proved before a court of circuit liable to fine and imprisonment, but not to be prosecuted for breach of form or error of judgment, nor is any process to be issued against them except on charges which may appear to the Judge well founded, from sufficient evidence.			2
Cl 4. *Sunnud and oath.*	1. *Moonsiffs*, on their appointments being confirmed, to receive a *sunnud* in the form specified in the appendix of Reg. XXIII. 1814.		6	4
	2. Persons having received the prescribed *sunnud* as *moonsiffs* to take and subscribe an oath, (the form may be seen in appendix to the regulation), or if the Judge think proper to remit the oath, to sign a written declaration to the same effect.		11	
	3. A copy, under the Judge's seal and signature, of the *sunnud* granted to *moonsiffs*, to be given to them, that they may affix it in some conspicuous part of thier court-room.		12	
Sec. 2. Conduct of suits. Cl. 1. *Cognisance of suits.*	1. *Moonsiffs* may receive and try suits of which the cause of action may have arisen within three years previous to the institution of such suits.	19. 17.	12	
	2. *Moonsiffs* may receive and try suits preferred against native inhabitants of their jurisdictions for money or personal property (not being damages of any kind) to the value of 64 rupees sicca; provided the amount claimed include the whole demand arising from the cause of action.	23. 14.	13	1
	3. The value of suits admissible by *moonsiffs*, extended to 150 Rs. Sa. under similar provisions. ..	2. 21.	3	1
	4. *Moonsiffs* may receive and try regular suits for arrears of rent not exceeding 150 Rs. in amount. ..		4	
	5. *Exceptions.*—*Moonsiffs* not to try any suits in which themselves, their connections, or the *vakeels* of their courts, or other persons employed in their *cutcherries*, or British subjects, or a European, or other foreigner may be party.	2. 21 23. 14.	3 13	2 2

* For native commissioners in the family lands of the Raja of Benares, *see Ch.* II. *s.* 16.

Ch. 10. Moonsiffs, their Courts and Duties.

		Throughout all the Provinces. Reg.	S.	C.
Sec. 2. Cl. 1.	6. *Moonsiffs* not to admit any suits in which pffs. may desire to plead *in formâ pauperis*.	2. 21. / 23. 14.	3 / 13	2 / 3
	7. The Judge of Chittagong may refer to the *moonsiff* of that *zillah* suits for landed property not exceeding 64 Rs. in value.		57	
	8. The *moonsiffs* of that district to receive in their *summud*, a power to investigate such suits.		58	
	9. *Moonsiffs* to investigate suits before them, themselves, and not to allow any persons to interfere therein; whenever there may be no particular provisions for *moonsiffs*, they are to be guided by the rules in force for Z. or C. C.		14	
Cl. 2. *Pleaders.*	1. No person to be allowed to plead before a *moonsiff* except a party in a suit, his relative, or agent, or a *vakeel* who may have received a *summud* of appointment from the district Judge.		15	1
	2. Whenever it may appear expedient, but not unless the expediency be clearly shown, the Judge may appoint a certain number of *vakeels* to the courts of *moonsiffs*, giving each a *summud* (for form of this *summud*, see appendix to the regulation.)			2
	3. *Vakeels* so appointed to be sworn to a faithful discharge of their duties, and liable both to a civil and criminal action for any breach of trust, or professional misconduct; such *vakeels* only to be removed from office on proof of misconduct, incapacity, or profligacy, or when the Judge may deem their appointment unnecessary.			3
	4. *Vakeels* to make their own agreement with their clients for the duties in which they may be engaged, but the amount of fees agreed upon to be specified in the *vakalutnamah*, and if reasonable, in the *moonsiff's* decree			4
	5. *Moonsiffs* to enforce the order contained in the 1st clause of this section (No. 1 of this clause.)			5
Cl. 3. *Stamp Duty and compensation to Moonsiff.*	1. Stamp duty at the following rates to be paid for every plaint filed before a *moonsiff*. In suits for 16 Rs. Sa. or less, 1 R. In suits for 32 Rs. or less, 2 Rs. In suits for 64 Rs. or less, 4 Rs. In suits for 150 Rs. Sa. or less, 8 rupees.		16 / 70	
	2. In all suits instituted in the courts of *moonsiffs*, the full amount of stamp duty to be appropriated as a compensation by the *moonsiffs*.	2.21 / 2.21. / 23.14.	3 / 3 / 49	3 / 3 / 2
	3. In suits adjusted by *razeenamah* before *moonsiffs*, pff. not entitled to receive back the amount of stamp duty, which is to be considered as compensation to the *moonsiff*.	3. 17.	4	
	Exception.—But in suits dismissed for default of pff. or nonsuited, the *moonsiff* is not to appropriate the stamp duty as remuneration to himself.	23. 14.	49	3
	4. *Moonsiffs* will receive this remuneration from the treasurer of the court, when the monthly statements of stamp duty (*see cl.* 16.) have been countersigned by the *serishtadar*, and endorsed with an order by the Judge.			4
Cl. 4. *Plaint.*	1. Plaints filed in *moonsiff's* courts to state the grounds of complaint, the date of the cause of action, the name and residence of the dft., the precise amount claimed, and all circumstances that may elucidate the transaction.		17	
	2. No irrelevant matter or abusive language to be inserted in the plaint. Plaints when filed to be signed, numbered, and dated, the number of the suit and an abstract of the plaint to be entered in a register, two blank columns to be left in this register, one for the insertion of the final decision, the other for noting the date on which copies of decrees were given or tendered to the parties. Judges to call for and inspect these registers during the vacations. (*See cl.* 13, 2.)		18	
Cl. 5. *Notice and proclamation.*	1. The plaint being filed, *moonsiffs* to cause a notice, containing a short statement of the demand, and requiring deft. to answer the same by a day fixed, to be served on the deft.		19	1
	2. This notice to be given to pff. or his *vakeel*, who will take measures to serve the same, the names of the person serving it always to be endorsed on the back of the notice by the *moonsiff*.			2
	3. The persons serving such notice to require from the deft. an acknowledgment to be endorsed on the back of the paper, and to be witnessed by people of the village.			3
	4. Notice, to weavers or persons employed in the Company's investment, to be sent under cover to the principal officer of the establishment, and to be returned by him duly executed.		20	
	5. Similar rule for persons employed in the salt department during the manufacturing seasons.	10. 19.	21	1
	6. If the deft. abscond or conceal himself, so that notice cannot be served, the person bearing it shall certify this on the back of the notice, attested by wsses. of the village where the deft. may reside.	23. 14.	22	1
	7. A return to this effect being made, *moonsiff* to cause proclamation to be affixed in his own *cutcherree* and in the outer door of deft's. residence, that if he do not attend within 15 days, the suit will be tried *exparte*.			2
Cl. 6. *Trial exparte.*	1. Deft. not appearing by the time fixed in the notice, (such notice being acknowledged by him as received,) or if appearing he fail to file an answer to the plaint, the *moonsiff* to try and decide the case *exparte*. (*See cl.* 5, 7.)		21	1
	2. But previous to deciding the suit *exparte*, *moonsiff* to satisfy himself that the notice was actually served on the deft.			2
	3. Deft. not appearing after a proclamation (in the case of inability to serve the notice) has been issued as above prescribed, within the period fixed, the suit to be tried and decided *exparte*.		22	3
Cl. 7. *Security.*	1. *Moonsiffs* to require neither *mal* nor *hazirzamuny* from defts. nor to attach their property; but if it appear that deft. meditates escape or removal of property in order to evade execution of final judgment, *moonsiff* to report the circumstance to the Judge, who will pass proper orders thereon, to be executed, either by his own officers or by the *moonsiff*, as he shall direct. (*See. Ch. 2. s. 2, cl.* 4.)		23	

Ch. 10. *Moonsiffs, their Courts and Duties.*

		Throughout all the Provinces.		
		Reg.	S.	C.
Sec. 2. Cl. 8. *Pleadings.*	1. The deft. being in attendance, personally or by *vakeel*, to be allowed to take copy of the plaint and file an answer thereto.	23. 14.	24	
	2. Irrelevant matter and abusive language not to be admitted in the answer.		25	1
	3. If the answer contain a mere simple denial to the claim, no further pleadings to be required; but if it set forth any plea to which a reply may be requisite for the elucidation of the case, the pff. to file his reply on the ensuing court day; such reply, confessing or denying the truth of the deft.'s plea, is to contain no matter not already contained in the plaint.			2
	4. To this reply the deft. may file a rejoinder in the same day, containing no matter, however, not already set forth in the answer; no supplemental pleadings to be admitted in the courts of *moonsiffs*.			3
	5. The answer, reply, and rejoinder are not required to be on stampt paper.			4
	6. Should the pff. or deft. neglect to file a reply or a rejoinder by the time fixed as above, the trial of the suit not to be delayed on that account.			5
Cl 9. *General rules for trial of suits.*	1. Suits to be tried by *moonsiffs* according to their order upon the file, unless the Judge, upon the report of the *moonsiff* or for other reason, shall direct certain suits to be investigated before others.		26	
	2. If either party or *vakeel* be not in attendance when the suit is called to a hearing, notice that the case will again be called forward in ten days, to be stuck up in the *cutcherree*; if within that time the pff. or his *vakeel* do not attend, the case to be dismissed; if the deft. be absent, trial to proceed *exparte*.		27	1
	3. Should any suit be thus dismissed in default, and afterwards appealed, the court trying the appeal may investigate the merits of the case, or remand it back to the *moonsiff* for further trial.			2
	4. Suits to be tried by *moonsiffs* on the mutual pleadings, on the documents, and the depositions of wsses. to be taken in presence of the parties, or their *vakeels*: if both parties consent to rest their case on the oath of each other, the suit may be decided on examinations so taken.		28	
	5. Judges may at any time remove suits from the file of a *moonsiff*, either to his own or to his Register's file, or to that of a *sudder ameen*, or of another *moonsiff*. .. .. (*See also s. 2, cl. 1, 9.*)		47	
Cl. 10. *Rules regarding witnesses.*	1. Parties wishing to procure the attendance of wsses., if such wsses. will not attend at their desire, *moonsiffs* may summon any persons within his jurisdiction to give evidence: women of rank to give depositions in the manner prescribed. (*See Ch. 2, s. 2, cl. 8.*)		29	1
	2. The summons for wsses. to specify the number of the suit and name of party summoning the wsses.; the name and residence of the witness, and the day on which attendance is required at the *moonsiff's* court. ..			2
	3. Applications for the summoning of such wsses. not required to be on stampt paper, nor liable to pay fees. ..			3
	4. The summons to be delivered for execution to the party summoning, or his *vakeel*; name of the person to be employed in issuing it to be first endorsed on the back of the summons by the *moonsiff*.			4
	5. If the witness required be employed in the Company's investment, the summons to be enclosed to the principal officer of that department: such person not to be summoned or detained unnecessarily.		30	
	6. Similar rule for persons employed in the salt department, (during the manufacturing season.)	10. 19.	21	8
	7. Such summons being served, but the witness not attending on the day required, the *moonsiff* may attach any property of such person within his jurisdiction; if he still fail to attend, and his testimony be necessary to the case, the circumstance to be reported to the Judge, who may order further process, according to the regulations.	23. 14.	31	1
	8. Should the witness still refuse to attend, notwithstanding the further process of the Judge, he will be liable to a fine (at the order of the Judge), equal in amount to the value of the suit pending: such fine to be realized as a decree.			2
	9. Such person attending but refusing to give evidence, the *moonsiff* may impose a proper fine upon him; but such order to be reported to the Judge for confirmation, and, if confirmed, for enforcement. ..			3
	10. Any witness being required who may reside beyond the jurisdiction of the *moonsiff* requiring his attendance, if such witness may not comply with the desire of the parties themselves, the *moonsiff* to apply to the Judge, who will order process to be issued through the proper channel.		32	1
	11. If such person reside at a considerable distance, and his attendance would be a matter of inconvenience to him, the *moonsiff* to forward to the Judge written interrogatories, to which the answers of the witness will be obtained in the usual manner. (*See Ch. 2, s. 2, cl. 8*)			2
	12. *Moonsiffs* prohibited from confining wsses. and not to detain them longer than necessary. ..		33	
	13. *Moonsiffs* empowered to administer an oath, or to certain persons a *hulufnamah* in lieu thereof, on taking depositions.		34	
	14. Whenever the parties agree, wsses. to be examined on a written declaration, or even without any form of oath.		35	
	15. *Moonsiffs* to prevent parties from instructing or intimidating wsses., or from asking leading questions, that would suggest a particular answer, or that relate to the character of the witness.		36	
	16. The deposition of every witness to commence with a statement of the name of witness and of his father; if a married woman, of her husband; also of the religion, caste, profession, age, and place of residence of witness: the deposition to be signed by witness or his mark.		37	
	17. Wsses. guilty of wilful perjury before a *moonsiff* to be forwarded to the Judge, with his proceedings and sentiments on the case.	17. 17.	14	2
Cl. 11. *Exhibits.*	1. Exhibits to be filed before *moonsiffs* without a *durkhast*, and without paying fees; but *moonsiffs* not to admit any documents requiring to be stampt by the regulation, and not being so stampt. (*See appendix to Chap. 2.*) ..	23. 14.	38	1

	Ch. 10. *Moonsiffs, their Courts and Duties.*	Throughout all the Provinces. Reg.	S	C.	
Sec. 2 Cl. 11.	2. If the *moonsiff* doubt whether the stamp of such deed, if stampt, be of the prescribed value, the document to b. forwarded to the Judge for his instructions.	23. 14	38	2	
	3. Exhibits filed to be numbered, dated, signed, and sealed by the *moonsiff*, and referred to in the proceedings by their number.			3	
Cl 12. *Contempt of court.*	1. *Moonsiffs* empowered to impose a proper fine on any person guilty of disrespectful behaviour, or contempt in open court: such fine to be reported to the Judge for confirmation, and if confirmed, for enforcement. ..		42		
	2. The power of commuting this fine to imprisonment not exceeding two months, extended to *moonsiffs*, with the same provisions for enforcement.	12. 25.	6	2	
Cl. 13. *Decision of suit and copies of decrees.*	1. The pleadings and proofs being heard, and the wases. examined, decision is to be passed according to justice and equity.	23. 14.	39		
	2. Decrees to specify names of parties, wases. and documents read, to contain an abstract of the pleadings, and the grounds of the decision, and the exact amount adjudged, with the costs of either party; any plaints appearing vexatious and litigious, the *moonsiff* may adjudge suitable damages against the pff.		40		
	3. Within a week after passing the decision, the *moonsiff* to tender attested copies of the decree to either party or their *vakeels*; on the back of each copy, the date of tendering the same to be endorsed.		41	1	
	4. Any *moonsiff* upon whom it shall be proved before the P. C. A. that he wilfully misstated such endorsement, with intent to bar the party's power of appeal, liable to dismissal, besides a fine to Government.			2	
	5. Copies of such decrees need not be on stampt paper.			3	
Cl. 14. *Execution of decrees.*	1. *Moonsiffs* prohibited from taking any measures for enforcing their own decrees, unless under instructions from the Judge.		44		
	2. Persons wishing to have enforced decrees in their favour given by *moonsiffs*, to present a petition to the Judge (on stampt paper of 8 ans.) within one year after date of the decree.		45	1	
	3. Such petition, being presented by the party or an authorized *vakeel*, to set forth the name of the *moonsiff* who decided the case, the number of the suit, the names of parties, the date of decree, the amount of decree and costs, and whether or not an appeal has been admitted.			2	
	4. The Judge to compare the petition with the original decree in the record of the case, and the monthly report of the *moonsiff*.			3	
	5. If the suit be under appeal, execution of the decree to be suspended or enforced on the general rules*. ..			4	* *See Ch. 2, s. 4, cl. 2, and s. 3, 5, of this chapter.*
	6 If the petition (as above) be presented after a year has elapsed since the decree was passed, and satisfactory cause for the delay be not shown, the decree not to be executed; but the party may institute a new suit in the Z. or C. C. In replying to such suit, deft. not to impugn the original judgment, unless it were passed *exparte*, but may show that the amount has been subsequently paid, or arrangements been made for such payment.			5	
	7. Such petition being presented within the period prescribed, decree to be executed, unless there appear reason to believe it was passed irregularly; in which case the Judge may desire deft. to appeal, although the period limited for appeals may have elapsed.			6	
	8. In conformity with decrees for sums not exceeding 64 Rs. Sa., persons only to be confined for six months; but payment may be enforced from any property that may subsequently appear in possession of such person released. *(a)*			7	
	9. Petitions for the execution of *moonsiff's* decrees may be referred to Registers or *sudder ameens* for enforcement. ..	2. 21.	7	2,3	
Sec. 3. Appeals from Moonsiffs.	1. Persons dissatisfied with decisions of *moonsiffs*, may appeal to the Judge, presenting their petition within 30 days after the date on which copies of the decree may have been tendered to them, unless satisfactory cause be shown for further delay.	23. 14.	46	1	
	2. *Moonsiffs* not to receive petitions of appeal from their own decisions.			2	
	3. Petitions of appeal being presented, and the suits conducted by *vakeels*, such *vakeels* entitled to the usual fees prescribed for similar original suits: this rule applicable to defence of such suits by *vakeels*. ..		46	3	
	4. Decisions of *moonsiffs* only to be reversed on the merits of the case, not for informality.			4	
	5. Appeals being instituted, the original decree not to be enforced if the appt. procures sufficient security within the period allowed him for that purpose. (*See Ch. 2, s. 4, cl. 2.*) ..			5	
Sec. 4. Periodical Reports.	1. *Moonsiffs* to transmit to the Judge, by the 15th of every month, a report of all suits decided by them during the month preceding; together with the records of all suits so decided (for form see appendix to the regulation.) ..		43	1	
	2. With this report *moonsiffs* to send a monthly statement of the stamp duty filed in cases before them and appropriated by them.		49	2,3	
	Such statement being revised and countersigned by the *serishtadar*, an order to the treasurer, signed by the Judge, shall authorize the payment of the amount to the *moonsiff*.			4	
	3. *Moonsiffs* to transmit to the Judge half-yearly reports of all suits pending before them by every 15th January and 15th July.		43	2	
	4. Packets of such reports, being carefully closed and sealed, may be forwarded by the public dawk, or by a servant of the *moonsiff*, or through the police officers.			3	

(a) The C. O. of S. D. A, May 28, 1819, explain that this enactment is not confined to *moonsiffs'* courts.

Ch. 10. *Moonsiffs, their Courts and Duties.*

		Throughout all the Provinces. Rey.	S.	C.
Sec. 5. Extra duties of moonsiffs.	1. *Moonsiffs* may be employed by Judges in any local inquiries necessary to suits pending in the civil court. ..	23 14.	50	1
	2. *Moonsiffs* will receive particular instructions in such cases, and after the investigation report their own sentiments thereupon. *(See Ch. 2, s. 2, cl. 10. 8.)*			2
	3. *Moonsiffs* may be employed by Judges in transferring property according to decrees of the courts. ..	23.14.	51	1
	4. Judges to require the parties to pay into court (previous to issuing of the above orders) a proper sum for the remuneration of the *moonsiff*; such sum not to exceed what would be the expenses of an *aumeen* or native officer of the court.	7.25.	3	1
	5. This sum to be paid to the *moonsiff*; but should the *moonsiff* have been guilty of any improper conduct during the inquiry, it is to be returned to the parties.	23.14.	51	2
	6. *Moonsiffs* may be employed by Judges in the attachment and sale of personal property in liquidation of fines or decrees, being entitled to one-sixteenth of all proceeds of such sales.			3
	7. *Moonsiffs* may be employed in reporting upon the sufficiency of securities and circumstances of paupers. ..		52	
	8. Judges always to provide that the time of *moonsiffs* be not employed in any of the above inquiries to the prejudice of suits pending before them.		53	
	9. *Moonsiffs* to act as sellers of distrained property (under the provisions that follow).		54	
			55	

		Bengal &c. Rey.	S.	C.	Benares. Rey.	S.	C.	C. C. Provs. Rey.	S	C.	
Sec. 6. Rules regarding distraint. Cl. 1. *Authority to sell distrained property.*	1. Natives having *sunnuds* to try and determine civil suits in the interior of the districts, authorized to sell distrained property on application from distrainers; when necessary the Judge may vest other persons with such powers;—but no person so empowered to sell property distrained for arrears due to himself: persons receiving commissions to be reported to S. D. A. ..	35. 95.	8		45. 95.	27		28*. 03.	27	3,4	*To the Doab, &c. 8. 1805 19.
	2. *Moonsiffs* appointed by the Judge, and *tehseeldars* appointed by the Collectors, to be considered as sellers of distrained property *ex officio*—no separate commissions to be required for them. *(b)*	7.99.	7		—	—			20	4 3	
	3. Such *kazies* only empowered to sell distrained property who may have *sunnuds* as *moonsiffs*; but whenever the Judge may think the appointment of other commissioners for this purpose necessary, he may give commissions (according to the form prescribed in the regulations) to persons of good character and proper qualifications.		6		—	—			20	2	
	4. The Judges of the cities Dacca and Patna vested with similar discretionary powers.		8								
Cl. 2. *Power to distrain.*	1. Landholders of every kind, whether actual or under proprietors or farmers, may distrain and cause to be sold for arrears of rent or revenue due from under-tenants, under-renters, or *ryôts*, the crops, cattle, or any other personal property belonging to such defaulters, without giving notice to any civil authority. ..	17. 93.	2		45. 95.	2			2	1	
	2. Landholders may delegate their agents to distrain for arrears; in such cases, both agents and their employers are responsible for any deviation from rule, but no damages to be awarded against them, unless such deviation appear to have been *wilful* and intentional, nor if they should have offered compensation before an action for damages was instituted.	7.99.	2		—	—				2	
	Every employer of an agent or servant, who in distraining may commit some breach of rule, is amenable in an action for damages, whether the deviation of such agent was done by his orders and knowledge or not. Such principal, however, is not liable to imprisonment, if his agent shall have entered a *zenana* or broken into a dwelling house contrary to rule, unless such action be proved to have been committed under his orders or with his consent. ..		..		..	29			29		
	3. Upon the death of any persons intrusted with power to distrain, his heir or successor may exercise similar authority. Managers of *undivided estates* empowered to distrain as proprietors.					28			28		
	4. Managers of undivided estates and of estates of disqualified proprietors, and Collectors having charge of collection in estates, vested with powers to distrain or to delegate such authority to agents.		19			—					
	5. In cases of estates in balance being too small to pay the expense of attachment for arrears of public revenue, the Board may authorize the Collector to cause the distress and sale of the defaulter's personal property; this enactment does not extend to Benares.	1. 01.	4								
Cl. 3. *Penalties for Abuses.*	1. Any landholder or farmer confining or punishing an under-tenant to enforce payment of rent or revenue, liable either to a civil or criminal prosecution. ..	17. 93.	28			26			26		
	2. If any distrainer shall cause property to be sold for arrears which upon trial (in court) may be proved not to have been due, he shall be compelled to restore the property or its value, besides damages for the injury. ..		6			6			6		
	3. Any person distraining property contrary to the regulations, to forfeit the arrear and liable to damages with all costs of suit. .. .. *(See further, cl. 7. 8.)*		8			8			8		

(b) The C. O. of June 3, 1813, approve the encouragement of persons to sell distrained property through *moonsiffs*; the rest of these orders are superseded by the regulations.

Ch. 10. *Moonsiffs, their Courts and Duties*

		Bengal, &c.			Benares.			C. C. Provs.		
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.
Sec. 6. Cl. 4 *Defaulter.*	1. An under-tenant or *ryot* becomes a defaulter, when he fails to pay his rent or revenue by the day fixed in his engagement, or, if no engagement exists, by established usage; his property is then liable to immediate distress, if the arrears be not paid on demand. If such defaulter has given security, notice to be given to the surety; when the defaulter has refused to pay or has absconded, the distrainer may attach either the property of the defaulter or that of his surety. ..	17. 93.	3		45. 95.	5		28. 03.	5	
	2. Persons who, under the name of sureties, hold under-tenures in the names of others, to be considered the actual tenants, and liable to distraint on default. ..		27			25			25	
Cl. 5. *Rules for Attachment.*	1. Persons deputed to distrain (by a notice of arrears duly signed by the claimant of such arrears) to furnish the defaulter with a copy of such notice specifying the arrear due; endorsed on this notice shall be an inventory of the property attached therewith, specifying the place where such property may be, and that it will be brought to immediate sale if the arrear be not paid previously: notice to be left at his house if defaulter abscond.	35. 95.	3		—	—				
	2. Persons distraining property to present the defaulter with a regular *jumma wasel baquee* account, setting forth the arrear and the date of its being due; if the defaulter abscond, this writing to be affixed on his usual place of residence. ..	7. 99. 17. 93.	4 8		— ...	— 8			8	
	3. Any sale of property distrained without strict observance of the rules of notice, to be held illegal and invalid at the cost of the distrainer. ..	5. 12.	13		—	—		—	—	
	4. Attachment not to take place if the defaulter tender the arrears before two credible wases.	.. 17. 93.	.. 8			.. 7			.. 7	
	5. Attachments to be made between sunrise and sunset; any breach of this rule to forfeit all claim to recover the arrear; if property be attached in breach of this rule, distrainer to be compelled to restore the same with costs and damages. ..		17			15			15	
	6. Any person removing property with a view to prevent its being attached for arrears, and this being proved in a civil court, such property to be surrendered to the distrainer, and the party secreting it to pay damages to the party levying distress with all costs; such damages to be equivalent to one-half the value of the property removed.		18			16			16	
	7. Any person resisting attachment on the part of a distrainer, or forcibly taking away property attached, on proof of the crime in the civil court, to be imprisoned, with all aiders and abetters, till the arrear with all expenses of attachment and costs of suit be discharged.		19		45. 95.	17		28. 03.	17	1
	8 Such resistance or forcible removal of property shall also incur damages equal to twice the amount rescued from attachment; and liable to a criminal prosecution, if accompanied by any breach of the peace*.	7. 99.	9			—				2
	9. Any person, not being the owner of the property distrained, guilty of the above offence, liable to imprisonment until the property be restored, and to pay damages equal to the value of such property with all costs of suit. ..	17. 93.	20		45. 95.	18		28 03.	18	
	(For staying attachment, see cl. 8, 3. 4, 9.)									
Cl. 6. *Search of Houses.*	1. Distrainers may force open any outhouses or enter any dwelling house, of which the outer door may be open, and force open the door of any inner room, (except the *zenana*,) for the purpose of attaching property belonging to the defaulter. But if any house or out-house not belonging to defaulter be broken open, and searched without finding the defaulter's property, the distrainer liable to prosecution and damages. Any persons breaking into a *zenana* in breach of this rule liable to six months' imprisonment, and to return property distrained, forfeiting the arrear claimed.		21			19			19	1
	2. Also if the distrainer has reason to suppose the defaulter's property to be in a dwelling house, of which the outer door is shut, or within a *zenana*, he may require the *thanadar* to send a police officer in whose presence the dwelling house may be forcibly searched, and also the *zenana* after a proper removal of the women; this rule to be attentively observed, and wilful deviation liable to heavy damages.	7. 99.	10			—				2
	3. Such police officer attentively to observe the proceedings of the distrainer, in order to give evidence thereon when desired. Police officer always to be appointed for this purpose when required.		11			—				3
Cl 7. *Property attachable, and Rules regarding.*	1. Crops, cattle, and other personal property may be attached for arrears. ..	17. 93.	2			2			2	1
	2. If any third person, not surety for the defaulter, prove in a civil court a superior claim to property sold in distraint, he may recover the same or its value with costs and damages, from the distrainer; but no claim to crops on the ground, or to produce to be satisfied before a demand for rent. ..	7. 99.	9			—			17	2
	3. Property not liable to sale for distresses lands, houses, and other real property; goods or advances belonging to the Company; the implements and manufac-									

* This provision prescribes the assistance to be given by police *darogahs*.

Ch. 10. Moonsiffs. their Courts and Duties.	Bengal, &c. Rs.	S.	C.	Benares. Rs.	S.	C.	C. C. Provs. Rs.	S.	C.
Sec 6. Cl. 7. turing materials of weavers; the tools of any tradesman: attachment of such property to incur a forfeit of arrears due, besides damages for any injury to it. ..	17. 93.	3		45. 95.	3		28. 03.	3	
Ploughs, implements, and cattle employed in agriculture; even though the defaulter possess no other property, at the same penalty.	5. 12.	14		—	—		—	—	
Seed grain belonging to the defaulter, at the same penalty.	17. 93.	4		..	4		..	4	
Implements of manufacture belonging to any persons engaged by Government to manufacture salt, cloth, &c.	31.93. / 10.19.	9 / 20	2 / 2	4. 05. / —	2 / —	/ —	37. 03. / —	9 / —	2 / —
4. Crops being attached for arrears, are to be reaped, gathered, and stored by the distrainer within the *pergunnah*, and as near as possible to the ground;—expenses so incurred to be at the cost of the owners if they redeem the property, otherwise from the proceeds of sale.	17. 93.	13		45. 95.	11		28. 03	11	
5. Property distrained not to be carried out of the *pergunnah*,—but to be left on the premises in charge of a proper person, or removed to some convenient place near at hand.		12			10			10	
6. Distrained cattle not to be worked, but to be fed at the eventual expense of the owners. (*See* 4.)		14			12			12	
7. Distrained property being lost, stolen, or injured for want of care, distrainer to make good the loss to the owner.		15			13			13	
8. Distress to be proportionate to the arrear: distrainer liable to pay damages for attaching property in excess of the arrear due.		16			14			14	
Cl. 8. *Duties of the Moonsiff or other Officer.* 1. The notices (prescribed above) being served with a written demand for payment of the arrear on the defaulter, if he refuse to pay or abscond, the distrainer to forward to the nearest *moonsiff* or other authorized officer an inventory of the property attached, with the amount due, requesting him to cause the property to be sold.	7.99.	4		—	—			8	
2. This application of the distrainer to be made between the 5th and 8th day after the attachment, or after storing the crops.	35. 95.	5		45. 95.	20		28. 03.	20	
3. Property being attached, if the defaulter within five days from the attachment, or from the storing of crops gathered, enter into a bond and give ample security before the Judge or Collector, or the officer commissioned to sell, or the distrainer himself, to dispute the demand in the civil court within 15 days, as well as to pay all final awards with interest, attachment to be withdrawn.—If such suit be not instituted, distrainer may levy distress from the property of the defaulter and of his surety, if the latter refuse to satisfy the demand. ..	5. 12.	15						—	—
4. Should the surety of any defaulting tenant execute such a bond, (security not being required,) similar rules apply;—(*See Ch.* 5, *s.* 3.)		16			—			—	
5. Defaulters not being able to give security may always sue the distrainer in the civil court, the attachment remaining.		17			—			—	
6. On receiving the above application, the *moonsiff* or other officer to fix up at his own *kutcherree* a list of the property to be sold, specifying the hour, day, and place of sale; this to be proclaimed by beat of drum on a market day before the day of sale;—sale never to take place within five days after the attachment.	7. 99.	4		15. 95.	20		28. 03.	20	1
7. Property of weavers or *molungees* in the employ of the Company, being attached for arrears, is not to be sold until notice be sent by the distrainer to the officer of that department, and time for satisfaction of the same shall have elapsed.	17.93. / 7.99.	31 / 4		—	—				
8. Property attached for sale to be appraised by persons competent to ascertain its value: appraisers to give a certificate of their appraisement, which shall be communicated to the defaulter, at least three days previous to the sale, (and struck up in the *kutcherree* of the *moonsiff*, 35. 1795, 5, &c.) ..	5. 12.	18		—	—		—	—	
9. Attachment to be withdrawn, if the defaulter tender the arrear and expenses of attachment previous to the day of sale.—Any dispute regarding the expenses of attachment to be settled by the *moonsiff*, or other officer in the civil court. ..	17. 93.	11			9			9	
Cl. 9. *Rules of sale.* 1. On the day of sale, the property or samples of it to be brought to the place of sale. sale to commence at 12 o'clock: if the property sell for more than the arrear, surplus, deducting all charges, to be returned to the defaulter: any breach of these rules of sale to incur a forfeit of the arrear.	..	22			20			20	1
2. If no price be offered, during the sale, equal to the appraisement, sale to be postponed till the next market day;—the property then to be sold at whatever price (not less than the first day's bid).	35.95. / 5. 12.	5 / 19		—	—			—	
3. Officers selling distrained property to receive compensation at the rate of 1 anna in the rupee on the amount sale to be deducted from the proceeds and charged to the defaulter; if the sale be stopped, the actual expenses only to be defrayed by the defaulter;—any collusion on the part of the officer selling will incur punishment and damages to the party injured.	7. 99.	5		—	—		28. 03.	20	2

Ch. 10. Moonsiffs, their Courts and Duties.	*Bengal, &c.*			*Benares.*			*C.C.Provs.*		
	Reg.	*S.*	*C.*	*Reg.*	*S.*	*C.*	*Reg.*	*S.*	*C.*
SEC. 6. Cl. 9. 4. No distrainer, appraiser, or officer selling to purchase property at such sales. Officers and appraisers infringing this rule, to return the property and forfeit the price paid, which will go towards paying the arrear; and the circumstance to be reported to the S. D. A. Distrainers so doing to forfeit the arrear due, to return the property, and to pay all costs.	17. 93.	24		45. 95.	22		28. 03.	22	
5. Neither the defaulter nor any person in his behalf to bid for the property exposed to sale.		25			23			23	
6. Property not to be carried away until sold; if the purchase money be not brought within five days, the property to be resold for what it will fetch; on the purchaser failing to pay, he is to forfeit 10 per cent. on the price bid by himself to the distrainer;—as well as to make good all losses and charges on such resale; all profits from such second sale to be credited to the defaulter. ..	35. 95.	7			24			24	
7. The officer selling property distrained to prevent all unfair practices in distraint; if convicted of any connivance with such, to make good any injury sustained; and the circumstance to be reported to the S. D. A. (This latter provision supposes such officer to be the *kauzy.*)	17. 93.	23			21			21	
SEC. 7. ARREST OF DEFAULTERS. 1. When defaulters, owing arrears of rent, may be about to abscond, landholders and others to whom such rent may be due, may present a petition for the arrest of such defaulter to the local *moonsiff*; upon which the *moonsiff* arresting the defaulter or his surety, will forward them to the Judge within 24 hours, unless he give in a written application to stay process that he may adjust the demand, and the pff. assent to such delay.	7. 99.	15	2	5. 00.	14	2	28. 03.	32	2
2. Such petitions for arrest to specify, besides the name of the defaulter, and the *muhal* in which the arrears have accrued, the account from which the balance has arisen, the annual *jumma*, the *kists*, and the amount discharged. .. *(See Ch. 5, s. 1.)*	19. 17.	15	2	—	—	—	—	—	—

CHAPTER XI.

SPECIAL JUDICIAL AUTHORITIES.

		Throughout all the Provinces.		
		Reg.	S.	C.
SEC. 1. SUPERINTENDENT OF THE TRIBUTARY MOHALS IN CUTTACK. Cl 1. *Trial of Suits by, Rules for.*	1. The *mohauls* belonging to Cuttack, of which a list is given in Sections 36 and 37, of Reg. XII. 1805, are exempted from the application of the general regulations.	12.05. 14.05.	36 11	
	2. All claims regarding inheritance or succession to the estates (of which a list is given in the regulation), to be tried in the court of the Superintendent of the tributary *mohals* in Cuttack.	11. 16.	2	
	3. In deciding such cases the Superintendent to be guided by the ancient usages of the country; such estates never liable to division as prescribed by the Hindoo law, but to descend to the person who has the most substantial claim according to local and family usage.		3	
	4. No suit to be tried by the Superintendent of which the cause of action occurred earlier than the 14th Oct. 1803.		4	
	5. The Superintendent to hold court in the Z. C. house; the pleaders of the Z. C. may conduct such suits and receive the fees prescribed in ordinary cases.		5	
	6. The Hindoo law officer of the Z. C. to be consulted whenever a reference may be necessary. ..		6	
	7. Processes to be sealed with the Superintendent's seal, and served by his officers upon the general rules, *(See Ch. 2, s. 2, cl. 5.)* Resistance to process punishable by a fine to Government, subject to the confirmation of the S. D. A.		7	
	8. In the trial of suits instituted in his court, the Superintendent to be guided by the general rules relating to civil suits, in matters not otherwise provided for in the above rules, or when those rules may not be qualified by expediency under sanction of the S. D. A.		8	
	9. The pleadings, petitions, decrees, or other papers in such suits are not required to be on stampt paper. ..		9	
	10. On appointing a *vakeel*, parties to enter a deposit of the usual fee; but upon proof of inability to pay expenses, pff. or deft. may be admitted to plead as a pauper.		10	
Cl. 2. *Conduct and Rules of Appeal from.*	1. From the decisions and orders of the Superintendent an appeal to lie to the S. A. D. if preferred within three months after such decision or order was passed.		11	
	2. Appts. to present their petitions of appeal to the Superintendent; petitions to contain a full and correct statement of the appt.'s objections to the order; if not admitted as a pauper, the appt. to file with his petition security for all eventual costs that may be adjudged against him; or if unable to give such security, to make oath or bring two credible wsses. to his inability.		12	
	3. The Superintendent receiving the petition of appeal, to forward it, with a copy of the decision or order required, to the S. D. A. within 15 days.		13	
	4. The S. D. A. on admitting the appeal, to require by precept a record of all the proceedings, and to call upon the respts. to answer the appeal, by a certain date, in person or by *vakeel*.		14	1
	5. The Superintendent to conform to such precept; and whenever it cannot be carried into execution by the date prescribed, to certify the same to the S. D. A. with a notice of the period within which a further return will be made.			2
	6. Appts. and respts. at liberty to conduct their own appeals, or to appoint *vakeels*, or to forward their pleadings through the Superintendent, who in such latter case will communicate to them all orders of the S. D. A.		15	
	7. Whenever the S. D. A. may deem the trial given to, and the evidence taken in the case, insufficient, the cause may be returned, for further trial and judgment, to the Superintendent, or further evidence may be required to be taken and forwarded to the court.		16	
	8. The rules and principles laid down for the trial and decision of suits by the Superintendent, applicable to the trial and decision of appeals by the S. D. A.		17	
	9. From decisions for an amount exceeding 5000£ or 43,103 Sa. Rs. appeals to lie to the King in Council; in other cases, the decision of the S. D. A. to be final.		18 20	1,2
Cl. 3. *Execution of Decrees.*	1. Decrees involving a transfer or change in the possession of property, never to be carried into execution until the period for appeal shall have elapsed; and if appealed, not to be executed upon the appt.'s giving security for performance of final judgment.		19	1
	2. If the appt. fail to give such security, and the property be transferred, similar security to be required from the respt. in the event of an appeal being instituted.			2

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SEC. 1. Cl. 3.

3. If neither party give the security required, the property to be attached, until either one of the parties give t security, or judgment to be passed in appeal. .. ..
4. No decrees (whether of the superintendent or of the S. D. A.) involving a transfer of any of the estates enu rated in Section 2, of the regulation, to be carried into execution without previous notice being made by S. D. A. to Government, that all necessary precautionary measures may be adopted. ..

SEC. 2. COMMISSIONER OF CUTTACK.

1. The exercise of the powers and functions of the P. C. A. in Calcutta over the district of Cuttack suspe ed. *(a)* .. ..
2. The civil Commissioner deputed to the district of Cuttack, to exercise all duties and powers of the P. C. for the division of Calcutta, according to the regulations in force. .. .. ..
3. All records of civil suits, whether original or appeal, to be forwarded to the Commissioner from the P. C. all cases coming under the cognizance of the Commissioner may be investigated and decided by him at place within the limits of the district of Cuttack. .. ..
4. The pleadings and management of suits in the Commissioner's court shall be conducted either by the par themselves or their agents; it is not requisite, that any regular *vakeels* be attached to his Court, or that business should be transacted through *vakeels*. .. ..
5. The Commissioner empowered to permit persons to plead *in formâ pauperis*, whenever he may deem it expedi either in his own court or in the *zillah* court. .. ..
6. The Commissioner may admit miscellaneous petitions on unstampt paper whenever he may judge it expedie this rule also applicable to the Judge and Magistrate. .. ..
7. The Commissioner may employ the Register of Cuttack, or the assistants to the Judge and Magistrate, in l duties in the territorial department. .. ..
8. The commissioner to exercise the same power in confirming the appointment and removal of native officers o Judge and Magistrate of Cuttack, as the P. C. A. exercise over other districts. .. ..
9. The orders and decisions of the Commissioner, whether in summary or regular suits, to be final, excepting that an appeal shall lie to the S. D. A. in suits which from their amount or value would have been appeal to the King in Council. .. ..

SEC. 3. COMMISSIONER OVER THE N. E. PARTS OF RUNGPORE,

1. The tract of country now comprised under the *thanas* of Gwalpara, Dhoobree, and Kurreebaree, separ from the district of Rungpore, and the application of the general regulations to that country suspended.
2. The civil Commissioner appointed over the north eastern parts of Rungpore, to conduct every branch of Gov ment over that country, according to the spirit of the existing regulations, subject to the following modificati and to such alterations as the Gov. Gen. in C. may think proper to order. 3
3. The Commissioner to hold a civil court wherein the cognizance of suits to be limited by no amount; no appeal to lie to the P. C. A.; the decisions of the Commissioner final to an amount not exceeding 5000 Sa. Rs., but the S. D. A. may admit a special appeal when there may be substantial reason to believe there has been a failure of justice in the award; decisions for an amount exceeding 5000 Sa. Rs. appealable direct to the S. D. A. according to the regulations in force. 6
4. If the parties be exclusively other than of the race of Garrow mountaineers, the Commissioner to act upon the existing regulations, subject to the modifications provided in these rules. .. ..
5. If the parties or either of the parties be of the race of Garrow mountaineers, or of any other rude tribe, the forms and process that the Gov. Gen. in C. may prescribe to be adopted; any decision passed according to such form, to have all the authority and effect of decrees. 7
6. No action shall hereafter be entertained in any civil court, having jurisdiction over this part of the country, against acts so done under authority of the Gov. Gen. in C. 8 2
7. In cases where any difficulty may occur, reference to be made to the Gov. Gen. in C. 9

SEC. 4. TRIAL OF CHARGES AGAINST EUROPEAN PUBLIC OFFICERS.

Cl. 1. *Superintending Authorities.*

1. Any complaint or charge of corruption, fraud, embezzlement, or breach of public trust being preferred against a European judicial officer, or any matter implicating the conduct of any such officer appearing in proceedings before the S. D. A. or being reported by any subordinate court, the inquiry to be conducted under superintendence of the S. D. A. 17. 13. 3 1
2. If the officer be or have been attached to the revenue department, the Board of Revenue to superintend the inquiry. 2
3. If such officer be or have been attached to the commercial, salt, or opium department, the inquiry to be superintended by the Board of Trade. 3

(See cl. 3, 3.)

Cl. 2. *Admission of Charges.*

1. No accusation against such public officers to be acted upon unless given in upon oath, or solemn declaration, from the deponent's personal knowledge of the circumstances stated in the charge. 4 1
2. The S. D. A. or other superintending authority may require persons so preferring charges, to furnish reasonable security to prosecute the charge to a conclusion, and if not entered at first, may require such security at any stage of the proceedings. 2
3. On such charge or information being preferred to any of the above named superintending authorities, the accuser or informant to be circumstantially examined on oath, or solemn declaration, and reference to be made to records, or explanation to be called for from the party accused, to ascertain whether there are any grounds for a regular inquiry. 5 1

(a) The superintendence of the Commissioner is described in the preamble of the regulation to be only a temporary measure.

Ch. 11. Special Judicial Authorities.		*Throughout all the Provinces.*		
		Reg.	*S*	*C.*
Sec. 4. Cl. 2.	4. Such charge being preferred in a court of civil judicature (such being declared competent to receive the same) complainant or informant to be circumstantially examined upon oath or solemn declaration; the Judge to forward the deposition to the proper superintending authority. *(See cl. 1.)*	17. 13.	5	2
	5. Should the superintending authority consider the charge or information frivolous and vexatious, the party to be informed that there are not sufficient grounds for further inquiry.			3
	6. Should the superintending authority see grounds for a regular inquiry, the documents on which such opinion may be founded, with a specification of the charges divided into distinct heads, to be transmitted to the Gov. Gen. in C.			4
Cl. 3. *Appointment of Commission for Inquiry.*	1. Should the Gov. Gen. in C. receiving such report, concur in the propriety of making a public inquiry, he will appoint commissioners for the purpose; Commissioners to take oath previous to entering upon their duties. (For the oath see the regulation.)		6	1
	2. The commission in no case to consist of less than two persons, one of whom shall be selected from the officers of the judicial department.	8. 17.	6	
	3. The Gov. Gen. in C. to determine whether the commission appointed shall be under the general control of Government, or of the superintending authority in the department of the party accused.		2	
	4. When the commission is instructed to act under the authority of the Gov. Gen. in C. its proceedings and report to be submitted to the Gov. Gen. in C., who may require further information if necessary. ..		3	
	5. Commissioners acting under such authority, to apply to Government for any requisite instructions. ..		4	
	6. Commissioners acting under the control of the superintending authority, to apply to such authority for all requisite instructions, which such authority is declared competent to give.	17. 13.	7	
	7. The Gov. Gen. in C. will appoint such place for holding the sittings of the commission as may be expedient. ..		6	2
Cl. 4. *Suspension of the Officers charged.*	The Gov. Gen. in C. to determine whether during an investigation into such charges, the person accused shall be suspended; and whether, if suspended, his allowances are to continue or otherwise.		8	
Cl. 5. *Conduct of Prosecutions.*	1. In the conduct of such charges the Gov. Gen. in C. to determine whether the accuser shall be left to prosecute, or whether some officer shall be appointed for the purpose on the part of Government. ..		9	
Cl. 6. *Forms of Inquiry.*	2. The plaint or charge being received, with the documents from which it may have arisen, the Commissioners to call for a reply, to examine the wsses. named by the accuser or in the defence, to receive any documents on either side, and may call for any further evidence that may appear necessary.		10	
	3. The commission, on such occasion, to be considered as vested generally with the powers of Z. or C. C. excepting that all processes are to be served through the Z. or C. Judge in whose jurisdiction the commission may be held, or the person on whom process may be served, resides.		11	
Cl. 7. *Regulations.*	1. Upon questions concerning the regulations, Commissioners to address themselves to the S. D. A. and to act accordingly.	8. 17.	5	
	2. Should any difficulty arise requiring a new regulation, the Commissioners, if acting under the authority of Government, are empowered to forward a draft of such enactment as may be required to the Gov. Gen. in C.; if acting under the control of the superintending authority, such superintending authority to forward to Government a draft of the enactment required.	17. 13.	7	
Cl. 8. *Report of the Proceedings.*	1. On the evidence being closed, the accused may record any observations on the result in vindication of his own conduct and character; the accuser or person conducting the prosecution may also record any remarks on the subject of the prosecution.		12	
	2. The inquiry being closed, the whole proceedings of the commission, the documents (and translations of papers not in the English language), with a summary of the pleadings and evidence, and the sentiments of the Commissioners on the case, to be forwarded to the controlling authority, *(or to Government, see cl. 3, 4.)* ..		13	
	3. The controlling authority (if not Government itself), after considering the proceedings and calling for what further evidence may appear necessary and may be attainable, to submit the whole of the proceedings and documents to the Gov. Gen. in C. together with their own opinion as to the facts charged being established. ..		14	
Cl. 9. *Decision.*	On receiving the report the Gov. Gen. in C. will pass what decision he may think proper, being competent, if it appear requisite and proper, to order the law officers of Government to prosecute the accused in the Supreme Court. Individuals deeming themselves aggrieved by any act of public officer, may seek redress in the Supreme Court according to law.		15	
Cl. 10. *Reimbursement to Plaintiffs.*	Such charges having appeared well founded from the investigation, the accuser may apply to the superintending authority (or Government) for reimbursement of his expenses incurred in the prosecution. Such authority to forward all such applications, with their own opinion upon the claim, to the Gov. Gen. in C. who will pass final orders thereupon.		16	
Cl. 11. *Punishment for false Charges.*	1. Charges against European officers being proved from investigation to be unfounded and malicious, the controlling authority shall be competent to punish the accuser with imprisonment for six months in the civil jail, and to a fine of 500 Rs. or imprisonment for six months further on default of payment.	8. 25.	5	1

	Ch. 11. Special Judicial Authorities.	*Throughout all the Provinces.* Reg.	S.	C.
Sec. 4. Cl. 11.	2. Such order being passed by the S. D. A. that court competent to enforce it; any other authority passing such order, to forward a copy of the order to the S. D. A. with a request for its enforcement. ..	8. 25.	5	2
	3. In case of accusers being guilty of perjury, the proceedings to be forwarded to the Nizamut Adawlut. ..		6	
Sec 5. Special commission in the ceded and conquered Provinces. Cl. 1. *Principles for Cognisance and Judgments by the Commission.*	1. A special commission, to consist of one or more members at the pleasure of the Gov. Gen. in C., appointed in the ceded and conquered provinces for the investigation of claims to recover possession of lands, illegally and wrongfully disposed of by public sale, or lost through private transfers effected by *undue influence*; and for the correction of errors and omissions in the proceedings of former revenue officers in regard to the record and recognition of proprietary rights and the ascertainment of the tenures, interests, and privileges of the agricultural community.	1. 21.	1 2	
	2. The commission to take cognizance of all claims for lands (lying within such limits as the Gov. Gen. in C. shall from time to time appoint) possession of which has been lost by some public sale for arrears of revenue, or by private transfer effected by *undue influence* on the part of a public officer; between the dates of cession or conquest of the particular tract of country, and the 10th Sept. 1810.		3	1
	3. The former public sale to be annulled and the lands restored when it shall be proved to the commission that the arrears, alleged to have been due, were not due at the time of sale, or that the arrear was inconsiderable or not properly demanded, or did not originate in neglect of the defaulter, or that he had no sufficient time allowed him to pay the arrear, or that the sale was in any way informal, unauthorized, or not public, or that the estate was purchased under a fictitious name, or the price of purchase greatly inadequate to its value, or that the sale was generally oppressive and unfair.			2
	4. The commission to take cognizance of, and try any claims of persons who may have been deprived of their rights by an illegal sale, although there be no proof of undue influence on the part of some public officer. ..	1. 23.	2	2
	5. Also, if the pff. prove that his rights were lost by violence or fraud, it shall not be incumbent upon him to establish that undue influence was exercised.			3
	6. If any suits have been dismissed by the commission before the promulgation of this regulation on the plea of undue influence not having been proved, such are readmissible, and may again be tried by the commission. ..			4
	7. Private transfers of any description to be annulled when there may appear reasonable grounds for believing that such were effected by violence, extortion, oppression, or the undue influence (see rules 4, 5, 6,) of any public officer of Government, in the district where the land is situated, or of any person connected with such officer, or by any fraud or unfair dealing on the part of the purchaser.	1. 21.	3	3
	8. The commission may also restore any assigner to his lands in any case of limited or conditional mortgage or assignment, on proof that the period of the assignment has expired, that it is in any way redeemable, or that the assigner was greatly and unfairly the loser by the engagement, or that any such unfair dealing as is described above has been practised.			4
	9. The commission may admit all claims for dependant lands in, or for the rent and produce of, or for any interest in, *muhals* lost to the original *sudder malguzar* by any process above described, and restore the claimant's right, if it shall appear that the claimant was in possession of what he claims, when the sale or transfer was made, and that such sale or transfer was invalid, or though valid, did not legally deprive him of his rights, and that subsequently no legal award or renunciation has deprived him of those rights; or, though so deprived, that to maintain the deprivation would be inconsistent with equity.			5
	10. The commission may admit claims for lands, or rights in lands, lost unfairly from any act or record of a revenue officer (within the period prescribed, *See Reg.* 11.), and restore the same on proof of such claim and act; also admit all claims for engaging with Government in chief, and when it shall appear that a revenue officer made an erroneous engagement, injurious to the proprietary right of another, the management of the *muhal* to be restored to the persons having the best title to engage directly with Government.			6
	11 On restoring claimants to the possession of lands and rights, the commission to state distinctly the interests vested in such claimants, and may specify the names and tenures and interest of all other persons in such lands as shall be established in the course of the investigation, with a view to define them in the public records. ..			7
	12. The above rules applicable both to cases where the land is actually possessed by those who benefitted by the unfair alienation, and to cases where the occupant may have derived his title from such person; provided that when the derivative title of the actual occupant shall not appear in any way collusive with the original wrong, the claim of the occupant for compensation shall be considered.			8
	13. Whenever it may appear to the commission that the claimant, though unable fully to establish his claim, is yet entitled in equity to some relief, the commission shall endeavour to persuade the parties to compromise their contested claims, or, such persuasion failing, may make an equitable award.		4	1
	14. The commission may adjudge compensation to any person whom their award shall deprive of rights legally vested in such person, or vested in him by a title which, though invalid, was upheld to him as valid by the Board of Revenue, Collector, or Judge; or when the award may be given on doubtful claims; if compensation in a sum above 1000 Rs. be awarded, the sanction of Government is necessary.			2
	15. When it may appear difficult for the commission to settle specific interests of shareholders in disputed estates, the commission may refer the matter to arbitration; the neighbouring *zemindars*, or other respectable persons acting as arbitrators.	4. 26.	3	
Cl. 2. *Sittings of the commission, &c.*	1. Members of the commission previously to entering upon their duties to take such oath as the Gov. Gen. in C. may prescribe.	1. 21.	12	3

Ch. 11. *Special Judicial Authorities.*		Throughout all the Provinces.		
		Reg.	S.	C.
Sec. 5. Cl. 2.	2. A single member of the commission competent to hold a sitting and exercise all powers vested in the commission generally, subject only to such restrictions as the *sudder* commission may direct.	4. 26.	2	1
	3. All orders and decisions passed by one member so sitting to have the same effect as those of the whole commission collectively, and only appealable to the *sudder* commission.			2
Cl. 3. *Jurisdiction.*	1. All claims of the above description cognizable by the commission though previously decided in courts of judicature, and if pending or subsequently instituted in the civil courts, the commission may require the record of all such cases by its own order, or may obtain them on application from the parties: the courts always to comply with such requisitions.	1. 21.	5	1
	2. The jurisdiction of the commission to be defined by the Gov. Gen. in C.; every order of Government changing the limits of such jurisdiction to be published in the *pergunnahs* concerned, and communicated to the P. and Z. C. through the S. D. A.			2
	3. When the jurisdiction of the commission shall be extended, the courts to which the *pergunnahs* affected belong, to stay proceedings in cases of the above description, until informed by the commission that the cases will not be investigated by it, or until its local jurisdiction may be circumscribed. .. .. .. *(See further Sec. 6, cl. 5.)*			3
Cl. 4. *Rules of Trial, &c.*	1. In cases removed from civil courts to the commission, the price of stampt paper for the plaint or petition of appeal to be returned to the party; on deciding the suit, the commission to settle what portion of their fees the *vakeels* employed in the courts shall receive; until such decision the deposit already made to remain in court.			4
	2. The commission, under the orders of Government, shall direct the form of the proceedings, and pleadings before it; the paper (stampt or plain) to be used; the fees and general rules of practice.		6	1
	3. The general rules prescribed for civil courts regarding process, contempt, wases., oaths, &c. applicable to the commission.			2
	4. The commission may either execute its own decisions, or require the Z. C. to enforce them. ..			3
	5. The general rules regarding the native officers of civil courts applicable to the native officers of the commission...			4
	6. False depositions before the commission, either on oath or solemn declaration, to be held as perjury; the commission competent to commit persons to the court of circuit for perjury; persons so committed to be sent with a *roobukary* to the Magistrate.		6	5,6
	7. The courts and Collectors to give every assistance to the commission in serving processes, and in furnishing all papers the commission may require.		7	
	8. If any doubt arise as to the course of proceeding by any court in cases cognizable by the commission, the S. D. A. to settle the question under the orders of the Gov. Gen. in C.		8	
	9. The commission, in its own jurisdiction, to exercise the same authority over *putwarees* and *kanoongoes* and other *mofussil* officers having charge of accounts, as the Collectors and courts now exercise. .. *(See further Sec. 6, cl. 2.)*		9	
Sec. 6. Sudder commission. Cl. 1. *Constitution of.*	1. A *sudder* commission to be constituted for the purpose of superintending the *mofussil* commission and for receiving its decisions.	1. 21.	10	1
	2. The *sudder* commission to consist of two or more officers as the Gov. Gen. in C. shall appoint; to possess all powers vested in the *mofussil* commission, exclusively of its own authority: the *mofussil* commission to be guided by the instructions of the *sudder* commission in cases pending before it, as Z. and C. C. and P. C. are guided by the S. D. A.			2
	3. A single member of the *sudder* commission competent to hold a sitting and to exercise all power vested in the commission; except that no order reversing an order or decision of the *mofussil* commission shall be passed without the concurrence of two members of the *sudder* commission.	4. 26.	4	
	4. The decisions of the *mofussil* commission to be reported to the *sudder* commission; and the latter may call for any proceedings held by the former, and, revising, may annul or modify the orders and decisions of the *mofussil* commission.	1. 21.	10	3
	5. When parties desire to appeal to the *sudder* commission from decisions or orders of the *mofussil* commission, the proceedings of the latter to be certified to the former, who may require further inquiry as they may think proper; in such cases the *mofussil* commission (under the orders of the *sudder* commission) may or may not carry its decision into effect.			4
	6. The provisions contained in Reg. I. 1823, (*See cl.* 1. *rule* 4, 5, 6,) applicable to cases pending before or dismissed by the *sudder* commission.	1. 23.	2	5
Cl. 2. *References from the Mofussil Commission.*	1. The *mofussil* commission consisting of two or more members, whenever they may not agree in their judgment or decision, the opinion of each member to be referred to the *sudder* commission; and the *mofussil* commission to be guided by the directions they may receive.	1. 21.	10	5
	2. The *mofussil* commission to refer to the *sudder* commission any cases of peculiar difficulty or importance, with their own opinion as to the judgment to be awarded.			6
	3. The former commission not to pass any final order in such cases until instructed by the *sudder* commission, who will consider the cases referred to them as appeals regularly brought before them. ..			7

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		Throughout a. the Provinces. Reg.	S.	C.
Sec. 6. Cl. 3. *Disagreement of Sudder Commissioners.*	Whenever the members of the *sudder* commission shall disagree, the voices on each side being equal, the Gov. Gen. in C. may appoint one or more temporary members to determine the question by a majority; decisions of such majority to be final.	1. 21.	10	8
Cl. 4. *Decisions and Appeals.*	1. The decisions of the *mofussil* commission to be final unless appealed from within six months, or such period as the *sudder* commission may fix, subject to the orders of the Gov. Gen. in C.		11	1
	2. The decisions of the *sudder* commission above the amount similarly prescribed in civil suits, appealable to the King in Council; decrees of the *sudder* commission so appealed to be carried into effect.			2
Cl. 5. *General Jurisdiction.*	1. Each commission competent to determine all points of jurisdiction as of cognizance in cases before them; orders upon such matters subject only to an appeal to the *sudder* commission, or to the King in Council; no court of judicature to interfere with, or stay the proceedings of the Commissioners in cases and investigations before them. (*See s.* 5, *cl.* 3.)			3
Cl. 6. *Regulations.*	1. The Commissioners generally to be guided by the regulations, or in particular cases by equity and good conscience.		12	1
	2. The Commissioners may propose to Government any new regulations on matters coming before them; and if in the course of their proceedings any existing provisions relative to points before them appear to them inequitable or improper, they may stay proceedings, pending their recommendation of a new ordinance to Government, and in the event of its being adopted may pass a decision in conformity with the new law.			2
Sec. 7. Particular cases in the Court of the 24-Pergunnahs.	Complaints against any public officers at the presidency of Calcutta, which are cognizable in a Z. or C. civil court, to be admitted and tried in the court of the 24-Pergunnahs.	7.06.	8	
Cl. 1. *Public Officers in Calcutta.*	1. Any deft. in a suit before the Court of Requests for Calcutta, retiring into jurisdiction of the 24-Pergunnahs, before a decree given against him has been executed, the court (of the 24-Pergunnahs) may execute such decree on a petition from the pff.	10. 12.	2	1
	2. If the deft. urge any plea that may require determination in the original court, and shall give security, on its being required, to satisfy judgment, the Judge of the court may allow him a reasonable time to apply to the Court of Requests, after which judgment to be executed, unless deft. produce an order to stay execution from that court.			2
Cl. 2. *Execution of Decrees of the Court of Requests.*	3. Defts. having once been released from failure of pff. to pay diet money, execution is only to be enforced upon such defts. by means of their property.			3
Sec. 8. Trial of Summary Suits by Collectors.	1. Any summary suits which the Judge may think proper to refer to the Collector for determination, (*See Ch.* 5. *s.* 6. *rule* 3, 4, *and Ch.* 1, *s.* 9, *cl.* 4.) to be so referred with a precept fixing a period for the decision, and requiring reasons for any delay, with, in the event of delay, a statement of the further period required. (*b*)	14. 24.	2	2
	2. In the event of any delay on the part of the Collectors, the Judge may recal suits so referred.			3
	3. Collectors declared competent to try and summarily decide cases so referred to them.		3	
	4. Collectors to possess the same power as civil courts, with regard to the summoning of wsses. and the issuing of all process, &c. except in execution of such summary decrees; when no particular rules are specified, the enactments in force for similar cases before civil courts, applicable to Collectors.		4	
	5. The case being decided by the Collector, all the papers to be returned with the original precept to the Judge, and all proceedings held in the case; on receiving such return, the Judge to enforce the payment of any specific sum or costs awarded immediately; all such summary decisions, consistently with the regulations, to be executed by the ordinary process of civil courts.		5	
	6. Parties may empower any agent or *vakeel* to plead for them in such cases before Collectors; the remuneration of such agent or *vakeel* to be settled between themselves; but no greater sum to be awarded on this account against the party defraying costs than the collector may think proper.		6	
	7. No further pleadings than a plaint and answer to be required; parties, however, are at liberty to file subsidiary pleadings in explanation of any points.		7	
	8. *Moktarnamehs* and *vakalutnamehs* in such cases to be written on stampt paper of 8 As.; no fees to be taken on exhibits or for the summoning of wsses., nor motions required to be filed on stampt paper with exhibits or *durkhasts* for the summoning of wsses.		8	
	9. Collectors competent to hear and decide such cases in whatever part of the district they may occasionally visit or reside; but the place of trial must be open to the public, and the parties or their agents in attendance during the trial.		9	
	10. Such summary decisions by the Collectors appealable by a regular suit in the Z. or C. C.; on the institution of such regular suits, the records and proceedings of the summary inquiry to be filed in the case.		10	
	(For the rules and principles of summary suits, see Ch. 5.)			
Sec. 9. Trial of Suits concerning Lakhiraj lands by Collectors. Cl. 1. *Rules and forms of suit and trial.*	1. Suits instituted in civil courts by landholders or other claimants, for the revenue of lands hitherto exempt from revenue, immediately to be referred to the Collector for investigation. Such claims may also be preferred in the first instance to the Collector; in the latter case, the petition of claim to set forth the particulars and grounds of such claim, and to be upon stampt paper, as prescribed for civil suits in Z. or C. C.	2. 19.	30	1
	2. On receiving such petition, or such reference from the court, the Collector to issue a notice briefly specifying the demand, and requiring the deft. to attend personally or by *vakeel* within one month, and to produce all documents by which he may hold the lands in question.			2

(*b*) The orders of Government, communicated in the C. O. of S. D. A. Sept. 24. 1819, impress upon Z. and C. Judges the expediency of referring suits for adjustment to Collectors.

Ch. 11. *Special Judicial Authorities.*

		Throughout all the Provinces.		
		Reg.	*S.*	*C.*
Sec. 9. Cl. 1.	3. The deft. being in attendance, the Collector to require him to give in a statement of the grounds of his tenures, with the documents relating to the same, within seven days.	2. 19.	30	3
	4. Such statement with the documents being filed, the Collector to investigate and pass judgment in the case, in the same manner as if he were proceeding to assess the lands, on the part of Government.			4
	5. The rules of stampt paper as prescribed for civil suits in courts, applicable to parties, &c. proceeding in these cases (*c*).			5
	6. Collectors may hear, try, and determine all such suits in any part of their districts, but the place of investigation to be accessible, to the public and either the parties or their agents always to be present.	§7. 22.	28	
	7 During such investigations the *cutcherree* of the Collector to be deemed a court of civil judicature with regard to the summoning and examination of wsses., the penalties for perjury, resistance of process, contempts, and similar matters.	§9. 25.	5	9
	8. In such cases, the parties may employ any persons they may think proper to conduct or defend their causes, and may make their own agreement for their remuneration ; the Collector, however, is not obliged to award a greater sum for such services than he may think due.	§7. 22.	23	1
	9. Collectors authorized, during such investigations, to summon wsses. and administer oaths or solemn declarations ; wsses. refusing to make oath may be sent by the Collector to the Z. or C. Judge for confinement. ..	§9. 25.	5	9
	10. Persons guilty of perjury, or subornation of perjury in such cases before the Collector, to be subject to the general rules. (*See Ch.* 1, *s.* 5, *cl.* 2.)	2 19.	19	1
	11. Any *putwary, gomashta,* or other person refusing to produce accounts required of him, or to give evidence regarding them ; or who shall alter, fabricate, or mutilate such accounts, liable to the penalties prescribed in Reg. XII. 1817.			2
	12. The Collector to mark, number, date, and sign, all documents filed; and to warn the parties that no documents not produced before him, will be afterwards received in a court of justice, unless good reason be assigned for such failure.		12	
	13. If the case has been referred by the court, the Collector to return his proceedings with his sentiments, and the court, calling further evidence when necessary, shall decide the case: but no documents not already filed before the Collector to be received by the court, unless satisfactory reasons for not having so filed them be assigned.	2. 19.	30	6
	14. Collectors empowered to award reasonable charges to wsses. and to levy the same by the process for recovery of public arrears.	9. 25.	5	10
	15. Persons resisting any process of the Collector issued under this regulation, liable to a fine by the B. of Revenue, on proof of the fact ; if the fine exceed 500 Rs. the sanction of the Gov. Gen. in C. to be required previous to enforcement.	2. 19.	14	
	16. Persons resisting such process, liable also to the penalty prescribed elsewhere for such offence, (*See Ch.* 1, *s.* 5, *cl.* 4.)		19	3
Cl. 2. *Rules concerning Decisions and Appeals.*	1. Decisions passed by the Collector, or claims originally preferred to him, open to appeals to the Z. or C. C. within three months, after date of the decision, or delay beyond such period to be satisfactorily accounted for: petitions of appeal to be written on stampt paper of one rupee. (*See Ch.* 1, *s.* 7, *cl.* 4.) ..		30	7
	2. Such appeals being admitted, the proceedings of the Collector to be filed, and the case to be tried as an original regular suit.			8
	3. If Government be deft. in such cases of appeal, or if the lands form part of an estate liable to a variable assessment, the Collector to submit his proceedings to the B. of Revenue ; if the suit have been referred by the court, the return to such court to be delayed until the orders of the B. of Revenue upon such proceedings be received ; if originally decided by the Collector, on an appeal being preferred in the civil court, the court shall not interfere, until the decision of the Board be passed: in all such cases the period for appeal to date from the decision of the Board..			9
	4. On failure of appeal, according to the rules prescribed, the decision of the revenue authorities to be final, and to be executed as a decree on application by the parties, though the courts of judicature. ..			10
	5. The decision of the revenue authorities to be carried into effect, notwithstanding the admission of an appeal, unless the party appealing give security for the payment of mesne profits from the lands under dispute. ..		30	11
	6. In execution of their awards, Collectors authorized to enforce the payment of any specific sums of money, costs, or damages by the process prescribed for the recovery of arrears of revenue ; but no property to be sold upon a summary decree, awards of property to be executed by giving possession, in the same manner and according to the same rules as are prescribed for civil courts ; and the civil courts to support the exercise of this authority: Collectors also empowered to appoint *peons, suwars,* or the like, to maintain the possession of the parties. *(For the principles connected with the validity of lakhiraj grants, see Ch.* 4. *s.* 5.*)*	§7. 22. §9. 25.	23 5	3 9
	N. B. Sect. 5. of Reg. IX. 1825, contains some modifications of the rules in Reg. II. 1819 ; some of these are analyzed in the text ; those not noticed are not abstracted, because they appear applicable to cases of inquiry incidental to the duties of making settlements ; such duties having no judicial character. (See the late enactments in Sec. 15.)			
Cl. 3. *Lands claimed by Government.*	A Collector believing that any lands not being in the possession of any individual, belong to Government, shall require all claimants to appear before him by a time fixed under sanction of the B. of Revenue, but such period not to be less than six weeks, by a notification stuck up in his own *kutcherry* in the Z. C. and in the office of the local *kanoongoe, moonsiff,* or *thanadar.* The claims of all claimants to be investigated accord-			

(*c*) Reg. IX. 1825, Sec. 5. Cl. 10, dispenses with stamps for proceedings, or exhibits filed before the revenue authorities, in cases originating with the Collector or other officer claiming to assess such lands ; by the terms of the enactment, this rule does not seem applicable to the cases described in the text.

Ch. 11. Special Judicial Authorities.

		Throughout all the Provinces		
		Reg.	S.	C.
Sec. 9. Cl. 3.	ing to the rules contained in Reg. II. 1819. The decision of the Collector and B. of Revenue being passed, that the said lands are in the possession of no one, the lands to be at the disposal of Government until they be decreed to be private property by a decree of court: suits to reverse such decisions to be dismissed unless preferred within six weeks after the orders of the B. of Revenue; no such suit to be admitted unless the pff. advanced his claim, or show sufficient cause for the failure, before the Collector, or unless he apply for permission to sue within six months of his being informed of the Board's decision; having so received permission to sue, such suit to be dismissed unless instituted within six weeks after such permission. ..	9. 25.	5	12
Cl. 4. *Attachment of Lakhiraj Lands for Default of Registry.*	1. Persons proceeding to the possession of lands *lakhiraj* or held at a *mokurrery jumma*, and failing to notify such transfer within six months, shall subject such lands to attachment by the revenue authorities; lands so attached not to be restored, though the tenure be proved valid, until a fine of one year's rent be paid: if the validity be not proved, the party shall refund all collections with interest at 12 per cent. ..	3. 28.	11	2
	2. Claims preferred to such lands to be investigated by Collector, under the above rules as modified by Reg. III. 1828.			3

		Bengal, &c.			Benares.			C.C. Provs.		
		Reg.	S.	C.	Reg.	S	C.	Reg.	S.	C.
Sec. 10, Judicial Powers of Collectors while making or revising Settlements. Cl. 1. *Powers and Rules of Cognizance.*	1. While employed in the settlement of any resumed *muhal*, Collectors declared competent to hear, try, and determine all claims to the property and possession of lands within the same; and under the authority of the B. of Revenue to give possession accordingly, leaving other claimants to sue regularly in the Z. or C. or P. C. (*See further cl. 7, r. 4. 5 of this Section.*) ..							7 22.	15	
	2. The Gov. Gen. in C. may authorize Collectors while making or revising the settlement of any *muhals*, whether *lakhiraj* or paying revenue, to hear, try, and determine all claims to any such lands, or belonging thereto; and under the authority of the B. of Revenue to give possession of the same: notice of such order of Government to be proclaimed within such *muhals:* all decisions accordingly open to appeal by a regular suit in the civil court, but such decisions only to be reversed on the merits, and not on the plea that the prescribed proclamation was not issued.								16	
	3. Collectors, under similar circumstances, may decide all claims to property, or to settle the rate of *malikana* in *lakhiraj or mocurrery* lands; civil courts in suits for the right of property, not to alter the terms of settlement or the rate of *malikana* fixed by the Collector.								17	
	4. The above provisions extended to all lands (including *jaghire, mocurrery*, and other tenures) for which a permanent settlement has not been made. ..	9. 25.	2	1	—	—	—	—	—	—
	5. Also to all estates held *khas* while under such management. ..			2			—			—
	6. Also to the Sunderbunds, the hills of Bhaugulpoor, and other extensive forests and wastes, as well as to all estates bordering upon such forests or wastes, which were not specified at the time of settlement to belong to any revenue divisions assessed.			3			—			—
	7. The above authorities to be ordinarily exercised by Collectors; but the Gov. Gen. in C. may restrict such authority when he may think proper; the Gov. Gen. in C. may also empower Collectors to try and determine generally all such questions, as well as to make summary investigations relating to rent, *pottahs*, &c. even in *muhals* not under revision or settlement. ..		3		9. 25.	3		..	20	1
	8. Notice of the above authority, when vested in Collectors, being proclaimed throughout the jurisdiction, persons may prefer their summary suits and petitions for rent, &c. to the Collector direct.		..			..				2
	In such cases cognizance only to be taken of suits preferred within one year after the cause of action.		..			..				3
	9. Collectors making or revising settlements competent to try and determine all claims to the property and possession of lands within the *muhal*, or to the produce or rents of such, and to give possession accordingly, subject to the directions of the Board, and a regular suit in court. Possession so given not to be disturbed without a regular investigation by the courts.	4. 28.	2	1	—	—	—	—	—	—
	10. Collectors, in such circumstances, competent to revise and alter all decisions of Magistrates under Reg. XV. 1824, giving notice to the Magistrate of the proceedings; the Collector's orders to remain in force until reversed by the Board, or the civil court in a regular suit.	..	..	2						
	11. If the B. of Revenue consider that justice has been denied to any one previously to this regulation from Collectors not having the authority specified in this regulation, the Board or the Gov. Gen. in C. may direct the Collector to hold supplementary proceedings for the trial of such cases.	4. 28.	2	3	—	—	—	—	—	—
	12. Collectors to possess the above powers from the date of issuing the primary orders in such *muhal* to the date of receiving orders confirming the settlement: during this time the authority of magistrates, under Reg. XV. 1824, suspended in such *muhals:* police officers to assist Collectors.	..	..	4						

Ch. 11. Special Judicial Authorities.	Bengal, &c. Reg.	S.	C.	Benares. Reg.	S.	C.	C.C. Provs. Reg.	S.	C.
Sec. 10. Cl. 2. *Jurisdiction.* In cases of doubt regarding such investigations, Collector, under the authority of the B. of Revenue, to decide the question of jurisdiction; courts not to disturb possession given by the Collector under such circumstances, except after a trial of right by a regular suit.	9.25*.	2		9. 25.	2		7. 22.	18	

* N.B. It is to be remembered that these provisions in Bengal, &c. only apply to the lands described in Cl. 1. 4, 5, 6.

	Throughout all the Provinces. Reg.	S.	C.	
Cl. 3. *Rules and Forms of Trial.* 1. During the investigation of suits wherein Collectors have judicial cognizance by this or any other regulation, their *kutcherries* to be a court of judicature as to the summoning and examination of wsses., penalties for perjury, resistance of process, contempts, and similar matters.	7. 22.	23	1	Extended as above by 9. 1825, 2.
2. In all cases prescribed by this regulation, Collectors to issue the same process for the attendance of deft. as is prescribed for civil courts: trials to proceed *ex parte* as in civil actions.		21		
3. In such suits tried by Collectors, parties may employ any persons they may think proper to conduct or defend their causes, and may make their own agreements for their remuneration; the Collector need award no greater sum in remuneration than he may deem proper for such services.		25		
4. No other pleadings required than a plaint and answer; but amended pleadings and explanatory motions may be admitted.		26		
5. *Moktarnamehs, vakalutnamehs*, pleadings, and decrees, always to be on paper of 8 As. stamp; no fees to be taken on exhibits or on *durkhausts* for the summoning of wsses.; nor is any written motion necessary on such occasions.		27		
6. Collectors may hear, try, and determine all such cases in any part of their districts, but in some place accessible to the public, and always in presence of the parties or their agents.		28		
7. In making such investigations, Collectors authorized to require all papers and accounts from owners, managers, and agents, and to examine such persons on oath or *hulufnameh*, as to the truth of the accounts, but not on points involving their own personal interests.		9	1	
(For notice to be served on such persons, see Reg. II. 1819. 11.—"Such notice to specify the purpose for which attendance is required, the papers to be brought, and the period within which he is to attend.")				
8. Collectors empowered to award reasonable charges to wsses., and to levy the same by the process in force for the recovery of public arrears.	9. 25.	5	10	
9. Resistance to any legal process of Collectors to incur, besides other penalties, (*see Ch. 1. s. 5. cl. 4,*) a fine of 500 Rs. or imprisonment for two months in the civil jail.	7. 22.	24	2	
Cl. 4. *Execution of Awards.* In execution of their awards, Collectors authorized to enforce the payment of any specific sums of money, costs or damages, by the process prescribed for the recovery of public arrears of revenue; but no property to be sold upon such summary decrees: awards concerning property to be executed by giving possession in the same manner, and liable to the same rules as are prescribed for civil courts, which courts are instructed to support the exercise of this power: Collectors also empowered to appoint *peons, suwars*, or the like, to maintain the possession of the party.		23	3	
Cl. 5. *Appeals to the Board of Revenue.* 1. Decisions of Collectors under these provisions are appealable to the B. of Revenue; the petition of appeal (being on paper of 2 Rs. stamp) to be presented either to the Collector or to the Board, but not to be received after three months from the date of the decision, unless sufficient reason be shown to the Board. The Board not required to investigate the case, but if the final *roobukary* of the Collector do not appear unjust, erroneous, or doubtful, or his proceedings irregular and imperfect, it may reject the appeal at once; if the suit has been dismissed on default, the Board competent to direct a new trial to be instituted; also, if the trial of any suit be delayed before the Collector, the Board competent to direct him to proceed in the same. ..		29	1	
2. No pleadings required in such cases of appeal, beyond the petition of appeal; and no fees to be taken on exhibits or any documents required by the Board.			2	
3. If the parties employ the same agents in the appeal case as in the original suit, no further *vakalutnameh* or *moktarnameh* to be required.			3	
4. Respt. to receive notice of the appeal, but not required to attend; and the investigation not to be delayed by his absence.			4	
5. The decision of the B. of Revenue to be final as to the summary inquiry of the Collector, and to be rendered in a *roobukary* on paper of 2 Rs. stamp.			5	
Cl. 6. *Reference to Arbitration.* 1. With consent of the parties concerned, Collectors may refer any such suits or any disputes respecting lands that may come before them to arbitration; Collectors to carry awards of arbitration into execution, and to be guided by the rules for arbitration in force for civil courts; also to invest arbitrators with authority to summon wsses. and examine them upon oath; awards of arbitration so given not to be reversed, except on proof of gross partiality and corruption by a regular suit in a civil court; awards not so reversed to have the same force as decrees of court.		33	1	
2. In referring suits to arbitration the matter for settlement to be distinctly stated, and if the award first made omit some necessary points, and be otherwise imperfect, it may be returned with directions to the arbitrators to complete their award.			2	
3. *Pergunnah kanoongoes* and *tehsildars* may be employed as arbitrators in such cases. ..			3	

Ch. 11. *Special Judicial Authorities.*

		Throughout all the Provinces. Reg.	S	C.	
Sec. 10. Cl. 7. *Disputes for Possession.*	1. When a Collector empowered as above shall learn by a reference from the Magistrate or otherwise, that disputes exist for the possession of lands or premises, likely to terminate in a breach of the peace, he may require the parties to attend in person or by representative at a stated time and place; and, after investigating the fact of possession, may decide the case as above; if the fact of previous possession cannot be ascertained, the question of right to be determined and possession given accordingly; the opposite party to be entitled to institute a civil suit. In such cases the lands or premises may be attached until possession be given to one of the parties. The Board to see that the question of right in such cases be carefully investigated. ..	7. 22.	34	1	Extended as above by 9. 1825, 9.
	2. The Magistrate or Joint Magistrate, under the above circumstances, to certify the existing dispute to the Collector; the Collector to transmit a copy of his first proceedings and final award to the Magistrate or Joint Magistrate.			2	
	3. The Collector in such cases to use every means to induce the parties to refer such disputes to arbitration. ..			3	
	4. Collectors, making or revising the settlement of any *muhal*, and ascertaining from the complaints of parties that they have been forcibly dispossessed from any lands, premises, &c. or from any produce or profits of such, declared competent to investigate the case, and to reinstate parties who may prove that they were in possession during the year preceding. Collectors may in like manner determine any disputes relating to the possession of any lands or premises, belonging to *muhals* under revision or settlement, and which it may be expedient to settle.		14	4	
	5. This provision to apply to all cases wherein any landholder or under-tenant may have been ousted, by a special deed or title wrongfully transferring possession held by such person; but not to apply when such deed or title was executed by the complainant himself, unless it be established by some judicial proceeding, that such document was extorted by force and terror; and not to apply to cases wherein possession was lost previously to the year preceding the complaint. .. .. *(See the late enactments, Cl. 1, 9, 10, 11, 12.)*			5	
Cl. 8. *Regular Suits in Appeal from such Decisions.*	1. Collectors making or revising settlements of lands being authorized, when disputes exist concerning the nature of tenures and interests in such lands, to decide and specifically to record such rights in their *roobukaries* of settlement, parties may seek redress in a regular civil suit; courts trying such suits not to interfere in the Collector's settlement of the amount of revenue on any lands or parcel of lands so settled.		14	1	
	2. Collectors having authority under similar circumstances to decide disputes for possession of such lands or premises, parties dissatisfied with their decisions (*see Cl.* 7. 4) may institute a regular suit in a civil court to try the question of right.			4	
	3. Generally any parties dissatisfied with decisions of Collectors or of the Board may institute a regular civil suit to try the merits of the case; in such cases the summary decision of the Collector, unless reversed or staid by the Board, to be carried into execution notwithstanding such regular suit.		29	6	
	4. Regular suits instituted to contest the decisions of Collectors shall be in the nature of appeals to courts in their regular jurisdiction from summary awards.		23	2	
	5. Regular suits being so instituted, the proceedings of the Collector to be required by precept, and to be filed in the record.		31	1	
	6. Such suits not referable to Registers or inferior judicial tribunals; and such inferior authorities always to be guided by the Collector's decision in matters before them, until such decision is reversed by the Board or a competent judicial authority.			2	
	7. Parties, having claims cognizable by Collectors (under the above rules), but not wishing for a summary trial, may always in the first instance institute a regular suit in the proper court.		30		
Cl. 9. *General Rule for Courts.*	All decisions on the demands of *zemindars* to be regulated in courts of judicature by the rates of rent and modes of payment ascertained at the time of settlement and recorded in the Collector's proceedings, until altered by a regular civil suit; and all cesses and collections not then allowed and sanctioned, nor taken into account in fixing the Government *jumma* to be held illegal, unless *now* or hereafter specially sanctioned by the Gov. Gen. in C.		9	1	
Sec. 11. Judicial Powers of Collectors in Abkary Matters.	1. All inquiries concerning the illicit manufacture and sale of spirituous liquors or drugs, to be conducted by the officers in charge of the *abkary muhal*.	10. 13.	22	1	
	2. Any person so convicted to be sent to the Judge for confinement. *(See Ch.* 1, *s.* 12, 1.) ..			5	
	N. B. These rules not further analyzed, the judicial authority being of a criminal character.				
Sec. 12. Judicial Powers of Salt Agents.	1. Salt Agents and Superintendents of *chokies* are authorized to try cases for smuggling, &c. (for offences, see the sections of the regulation enumerated in the note to *cl.* 9, of *s.* 5, of *Ch.* 1.) and to give a final order for confiscation when the salt (liable to confiscation) does not exceed 20 maunds of 82 Sa. weight, and their decisions final; also in adjudging fines not exceeding 50 Rs.	10. 19.	100		
	2. Persons not paying penalties or fines adjudged by the Salt Agent to be sent with a *roobukary* to the Judge. .. *(See Ch.* 1, *s.* 12, 2.)		111		
	N. B. These rules not further analysed for the same reason.				
Sec. 13. Judicial Powers of Stamp Officers.	The B. of Revenue, the Superintendent of stamps, and any officers in charge of stamp collections, empowered, in any investigations concerning the stamp revenue, to summon wsses., to administer oaths and affirmations, with the same powers as to resistance of process and contempts as are prescribed for Z. and C. Judges; persons committing perjury before them liable to the usual penalties: Judges to give effect to all orders passed by such authorities, by confining persons guilty of contempt or refusing to take oath when required to do so. ..	26. 24.	17		

Ch. 11. *Special Judicial Authorities.*

		Throughout all the Provinces. Reg.	S.	C.
Sec. 14. Superintendent and Remembrancer of Legal Affairs.*	1. The Superintendent and Remembrancer of Legal Affairs to be a covenanted civil servant of the Company. ..	8. 16.	2	
	2. This officer may be employed by the Gov. Gen. in C. to aid in the conduct of cases in which Government is a party, either in the civil or criminal courts.		3	
	3. This officer to furnish an opinion on the merits of any case that may be referred to him for the purpose, either by Government or by any competent authority; such opinion to specify whether the question at issue depend on the construction of the Government regulations or on the Hindoo and Mahomedan laws; if it involve a point of native law, the S. R. L. A. to consult the proper law officer of the S. D. A.		4	
	4. Previously to having recourse to judicial process, the revenue authorities (Board of Revenue, &c.) are authorized to require the assistance and sentiments of the S. R. L. A, as they may deem expedient under the instructions of the Gov. Gen. in C.		5	
	5. The B. of Customs, Salt, and Opium may make use of the assistance and services of the S. R. L. A, in suits on the part of Government in the salt department, as in any matters of judicial process.	10. 19.	18	
	6. The S. R. L. A. competent to instruct the pleaders of Government in the several courts to undertake causes at the expense of Government, and to furnish orders for the conduct of such suits.	8. 16.	6	
	7. The S. R. L. A., under instructions from Government, to conduct suits for the recovery of penalties from natives for contracting illegal loans with covenanted servants. *(See Ch. 4, s. 7.)*	7. 23.	8	
Sec. 15. Special Commission for Trial of Cases relating to resumed Lands.	1. It shall be competent for the Gov. Gen. in C. to appoint one or more special Commissioners for the final determination of all cases, which have been or may be investigated by Collectors under the powers of Reg. II. 1819, or IX. 1825; as also of all suits brought to contest the assessment made by the Collector. ..	3. 28.	2	1
	2. The jurisdiction of such special commission shall extend locally and temporarily, as the Gov. Gen. in C. shall direct; and the functions of the Commissioners shall be regulated as the Gov. Gen. in C. shall think proper.			2
Cl. 1. *Appointment and Jurisdiction.*	3. Notice of the appointment of such commission to be published at the Judge's and Collector's *kutcherries* in the particular districts, and to be communicated through the S. D. A. to the P. C. and Z. or C. C. concerned. ..			3
Cl. 2. *Oath.*	Special Commissioners, before commencing their duties, to take oath before such person as the Gov. Gen. in C. shall appoint. (For the oath, see the Reg.)		9	
Cl. 3. *Cognisance.*	1. Every civil court, on receiving such notice, shall stay all proceedings in such cases, and shall forward all cases pending to the commission, and shall lose all power of cognizance in such cases until the authority of the commission cease; and no appeal from decisions of revenue officers, in such cases, shall lie to the courts of judicature, pending the sitting of the commission.		2	4
	2. In all cases previously decided by the B. of Revenue, and appealable to the courts by the existing regulations, appeals shall lie to the commission, on its jurisdiction over that district being declared; such suits to be tried as appeals instituted under this regulation.			5
	3. Notice of the appointment of the commission to be sent to the B. of Revenue, which will stay all proceedings in cases under investigation according to Reg. II. 1819 and IX. 1825, and transmit all papers to the Commissioners (excepting cases specified in Reg. IX. 1825.)			6
	4. Records of cases being so transmitted, the Commissioners shall decide what amount of *vakeels'* fees and costs of suit shall be paid in the former tribunals; previous deposits to remain until an order be issued at the decision of the suit by the Commissioners.			7
	5. It shall be competent to the Gov. Gen. in C. to invest Commissioners so appointed with all the powers of the B. of Revenue.		3	
Cl. 4. *Exception.*	The above rules not applicable to cases specified in S. 30. of Reg. II. 1819, (*see Ch.* 11, *s.* 9.) except such as may involve the right of Government to assess the lands. If Government be a party, Collectors to pursue their inquiries according to this regulation; otherwise, according to the existing enactments.		5	
Cl. 5. *Proceedings of the Collector under the Commission.*	1. The jurisdiction of the commission being published, the local Collector shall proceed in his investigations under Reg. II. 1819, and IX. 1825, without reference to the B. of Revenue, and his final *roobukary* shall have all the force of a decree, and a copy (on plain paper) shall be forthwith given to the party concerned. ..		4	1
	2. Lands being decided liable to assessment, the Collector need not transmit his proceedings to the Board or to the commission; but the party interested may appeal to the commission within two months after the date of the copy of the decree being tendered to him; the commission may admit appeals after such period on good reason for delay being shown; petitions of appeal may be presented either to the Collector or the commission.			2
	3. The Collector may proceed to enforce his decree, though an appeal be instituted, reporting his proceedings to the Board, or to the commission if vested with the Board's powers. The commission may stay execution of the decree on the appt.'s filing to pay the assessment as finally settled by the Collector's decision. ..			3
	4. The Collector, when deciding against assessment of the lands, to forward his proceedings with the record to the B. of Revenue, which, on considering the case, if they disagree with the judgment given, may forward the case to the commission; notice to be issued for attendance of the parties; non-attendance, after being duly summoned, to incur decision *ex parte*.			4

Ch. 11. *Judicial Special Authorities.*

		Throughout all the Provinces.		
		Reg.	*S.*	*C.*
Sec. 16. Cl. 6. *Decision of the Commission, when final.*	1. Decisions by the commission in all cases to be final; excepting only in such as, if decided by the S. D. A., would be appealable to the King in Council: such appeals subject to the ordinary rules (*see Ch.* 13, *s.* 6): the commission competent to review its own judgments according to the general rules (*see Ch.*1, *s.* 8.) ..	3. 28.	4	5
	2. All judgments of a single Commissioner, confirming decisions of former tribunals to be final; but when contrary to the last award, his opinion being recorded, the case to be submitted to a second Commissioner, and should he disagree with the first, to a third Commissioner; the concurrent voices of two Commissioners to be final. The Gov. Gen. in C. will name other Commissioners for such references.			6
Cl. 7. *Forms of Trial and Record.*	1. In forms of proceedings, pleadings, fees, and stamp duty on legal papers, the commission to conform, generally, to the existing rules of practice, and, particularly, to such rules as the Gov. Gen. in C. may prescribe. ..		6	1
	2. Commissioners may direct Collectors in their investigations, and refer cases back for further trial, when it may appear proper.			2
	3. The powers of courts in regard to resistance of process, contempts, the summoning and examination of wsses. and oaths, vested in the commission; its processes to be issued as processes of court. ..			3
	4. The commission may require Z. C. to execute its decisions, which shall be enforced as decrees of P. C. or the S. D. A.			4
	5. The ordinary rules regarding native officers (*see Ch.* 6) applicable to the officers of the commission, unless, with the sanction of Government, it determine upon other rules.			5
	6. Persons guilty of perjury or subornation, in regard to points material to the issue, before the commission, liable to the ordinary penalties, *(see Ch.* 1, *s.* 5, *cl.* 2.)			6
	7. Commissioners competent to commit for perjury: Magistrates to give effect to such commitment. ..			7
	8. Courts and revenue officers to afford the commission every aid and information, to serve all process, to transmit all lists of cases, decided or pending, and all papers that the commission may require. ..		7	1
	9. The commission may require courts or Collectors to examine wsses. on written interrogatories or otherwise, and to report on particular facts.			2
	10. The commission to furnish such periodical statements as the Gov. Gen. in C. may require. ..		8	
Sec. 16. Superintendent of the Family Lands of the Raja of Benares.	1. The superintendence of the family lands* of the Raja of Benares, to be vested in such officer as the Gov. Gen. in C. shall appoint.	7. 28.	3	
	2. Justice, in all revenue matters, shall be administered through the Raja as heretofore: the population to be in no way divested of any ancient rights regarding the occupation, possession, or transfer of land. ..		4	
	3. Decisions of the Raja or of his officers in all matters connected with the revenue and management of such lands, to be certified to the Superintendent, who is empowered to confirm, modify, or annul the same; the orders of the Superintendent to be subject only to those of the Gov. Gen. in C.		7	
	4. The Superintendent to recognize all complaints against the breach of the rules contained in this regulation, or against severity in the execution of them, and generally to render justice as provided by the regulations for the civil courts; complaints of a criminal nature to be referred to the Magistrate.		14	
	5. On statements being forwarded to the Superintendent by the Raja regarding individuals to be appointed as native commissioners, the Superintendent will withhold his concurrence in cases of bad character or incapacity, always having regard to the Raja's honour and dignity in the mode of doing so.		17	
	6. In the removal of native commissioners, the Raja shall act in concert with the Superintendent. ..		18	
	7. The Superintendent is empowered to give instructions to such native commissioners regarding the execution of their decrees in cases of appeal from them.		22	
	8. The proceedings of the native commissioners to be subject to the revision of the Superintendent, who, in cases appealed to him within six months after date of the decision, will direct further investigation to be held if necessary, and confirm, modify, or annul the order appealed as he may think proper; the Gov. Gen. in C. may always supersede the orders of the Superintendent when referred to.		24	
	9. The rules regarding resistance of judicial or revenue process contained in the regulations are applicable to process issued by the present regulation.		25	
	10. The general principles contained in the regulations to be applicable to the administration of these lands; and when not applicable, it is to be regulated by equity and good conscience.		26	
Sec. 17. Native Commissioners in the above Mahals.	1. A native commissioner to be appointed by the Raja of Benares in each *pergunnah* referred to in Reg XV. 1795.		16	
	2. Such commissioners to be nominated by the Raja, who will communicate to the Superintendent all information concerning their age, character, and past employment; that officer being competent to withhold his concurrence in cases of bad character or incapacity.		17	
	3. No native commissioner to be removed without sufficient cause; in such removal the Raja will act in concert with the Superintendent.		18	
	4. Such commissioners subject to criminal prosecution for corruption, extortion, or other gross misdemeanor, and, on conviction before the court of circuit, to be subject to a proportionate fine or imprisonment.		19	
	5. Native commissioners, so appointed, competent to receive, try, and determine all suits against inhabitants of their jurisdiction, and relative to lands or to the revenue or produce of lands situated therein; provided the cause of action occurred within 12 years previously to the institution of suit.		20	
	6. In receiving, trying, and deciding such suits, the native commissioners shall be guided by Reg. XXIII. 1814, (*see Ch.* 10.) and when that regulation does not apply, by the general rules established for Z. and C. C. in civil suits.		21	

* For the specification of these lands, see the preamble of this Reg. or Reg II. 1795, Sec. 17, Cl. 6.

Ch. 11. *Special Judicial Authorities.*	*Throughout all the Provinces.*		
	Reg.	*S*	*C.*
Sec. 17. 7. The rule prohibiting native judicial officers from recognizing cases in which a British subject, other European, or American, may be a party, not applicable to such native commissioners.	7. 28.	22	
8. Native commissioners to execute their own decrees, subject, in cases of appeal from them, to instructions from the Superintendent.		23	
9. Decisions of such native commissioners subject to revision, and, if appealed within six months after their date, to confirmation, modification, or annulment by the Superintendent: the Gov. Gen. in C. being competent to supersede orders on such appeals, when referred to by either party.		24	
10. The penalties for resistance of process, prescribed in the general regulations, are applicable to process issued on this regulation. *(See Sec.* 16. *Reg.* 10.*)*		25	

CHAPTER XII.

PROVINCIAL COURTS AND LAWS OF APPEAL.

		Bengal, &c.			Benares.			C. C. Provs.			
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.	
Sec. 1. Establishment and Jurisdiction. Cl. 1. *P. C. A. in Bengal.*	1. Provincial courts of appeal established in the vicinity of Calcutta, the city of Patna, the city of Dacca, and the city of Moorshedabad. ..	5.93.	2								
	2. The Calcutta P. C. A. has jurisdiction over the *zillahs* Nuddea, Jessore, Burdwan, Midnapore, Hooghly, the Jungle Muhals, the Twenty-four Pergunnahs, and the Suburbs of Calcutta, (for the exception of Cuttack, *see Ch.* 11, *s.* 2.)	.	3								
	3. The Moorshedabad P. C. A. has jurisdiction over the *zillahs* Moorshedabad, Baglipoor, Purnea, Dinagepoor, Rungpoor*, and Rajshahy. ..		..								
	Also, over *zillah* Beerbhoom.	1.06.	3								* See chapter 11, Sec. 3.
	4. The Dacca P. C. A. has jurisdiction over the *zillahs* Mymunsing, Sylhet, Tippera, Chittagong, Backergunge, Dacca Jelalpoor. ..	5.93.	3								
	5. The Patna P. C. A. has jurisdiction over the *zillahs* Ramgurh, Behar, Shahabad, Sarun, Tirhoot.		..								
	Also over *zillah* Gorukpoor.	17.25.	2								
Cl. 2. *In Benares.*	1. A P. C. A. established in the city, for the province of Benares, having jurisdiction over the *zillahs* Mirzapoor, Ghazipoor, Juanpoor, and the city of Benares. ..				9.95.	2,3					
	Also, over *zillah* Bundlecund.				8.05.	8					
	Also, over *zillah* Allahabad.				8.04.	6					
	Also, over *zillah* Futtehpoor.				6.25.	3					
Cl. 3. *In the conquered and ceded Provinces.*	1. A P. C. A. over the ceded and conquered provinces established at Bareilly, ..							4.03.	2		
	2. The Bareilly P. C. A. has jurisdiction over the *zillahs* Moradabad, Bareilly, Etawa, Furruckabad, Cawnpore.								3		
	Also, over *zillahs* Allyghur, Seharunpoor, Meerut, Agra.							8.05.	8		
Sec. 2. Constitution of P.C.A. Cl. 1. *Appointment and Number of Judges, &c.*	1. Each P. C. A. to consist of four Judges, to be denominated the first, second, third, and fourth.	5.14.	2	2	—	—		—	—	—	
	2. The Gov. Gen. in C. competent to appoint to each P. C. A. as many Judges as may be deemed necessary for the despatch of business. ..	1.26.	2	2	—	—	—	—	—	—	
	3. Every Judge, previous to commencing his duties, to take and subscribe an oath before the Gov. Gen. in C. or such person as he shall appoint. ..	5.93.	2		9.95.	2		4*.03.	2		* To the Doab, &c. by 8. 1805, 8.
Cl. 2. *Sittings of the Court.*	1. The court to be held in a large and convenient room.—No decree or order to be passed except in open court, and on court days.		4			4			4		
	2. P. C. A. to hold daily sittings (Sundays and holidays excepted); if any circumstance prevent the sitting of the court for two successive days, report to be made to the S. D. A.	13.10.	5		—	—		—	—		
	3. Two Judges necessary to hold a court of appeal.	47.93.	3		25.95.	2		15.03.	3		
	4. Whenever a vacancy in the court, the absence or indisposition of any of the Judges occur, to prevent two Judges sitting together, a single Judge is competent to hold regular sittings of the court, and pass orders and judgments in conformity with the regulations. *(a)*	13.10.	2	2	—	—	—	—	—	—	
	5. Whenever the despatch of business may require it, a single Judge may hold sittings and pass orders and judgments under similar rules. *(See cl.* 6.*)* *(b)* ..	25.14.	6,7		—	—		—	—		

(a) The C. O. of S. D. A. July 9, 1824, direct that whenever a Judge may be ill and unable to attend his duty, a report of the fact on the eighth day to be sent to the S. D. A. and weekly reports until the preventing cause be removed: the courts also to state whether any temporary arrangement is necessary.

(b) See the C. O. of S. D. A. January 14, 1819, for particular directions to the P. C. A. as to the distribution of business in courts. The C. O. of April 14, 1820, explain that any single Judge may sit and try original suits.

Ch. 12. Provincial Courts and Laws of Appeal

		Bengal &c.			Benares.			C. C. Provs.		
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.
Sec. 2. Cl. 3. *Court Seal.*	The P. C. to use circular seals with appropriate inscriptions, *(See the Reg.)* ..	5. 93.	5		9. 95.	5		4. 03.	5	
Cl. 4. *Holidays.*	1. P.C. to be adjourned for thirty days during the Hindoo festival of the *dussara*, and for fifteen days during the Mahommedan festival of the *mohurrum*. ..	3. 98.	10		—	—		8. 05.	13	
	2. On the collection of business or for other reason, the S. D. A. may dispense with such holidays being taken by any P. C. .. .. *(See cl. 2. 2.)*	1. 06.	10		—	—		—	—	
Cl. 5. *Leave of Absence.*	Application by any provincial Judge for leave of absence to be made to the Gov. Gen. in C. in the same manner as prescribed for Z. and C. Judges *(See Ch. 1, s. 2, cl. 4)*: previous to any Judge obtaining leave of absence, reference to be made to the S. D. A. to ascertain whether the state of business in the court will allow of such absence.	2. 01.	15		—	—		—	—	

		Throughout all the Provinces.		
		Reg.	S.	C.
Cl. 6. *Authority and Orders of Single Judges.*	1. Decisions of single Judges to have the same effect as those of two or more, and are appealable to the S. D. A. in a similar manner. *(See cl. 2. 4, and 5.)*	13. 10.	3	
	2. A single Judge may perfect interlocutory decrees passed by himself, or by any other Judge or Judges, taking care not to alter the order of any other Judge or Judges of the court.		4	2
	3. A single Judge competent to pass any orders or take any evidence connected with the trial of cases pending, whether appeals or original suits. *(See rule 11.)*		4	4
	4. A single Judge competent to commit wsses. for wilful perjury to the court of circuit, and to hold persons, so committed, to bail*.			5
	5. A single Judge to execute all decrees and orders from the S. D. A. and to make returns thereto; may also receive and pass orders upon petitions of appeal to the S. D. A. from any judgment of the P. C. A. ..	1. 07.	4	1
	6. A single Judge to ascertain and determine the sufficiency of securities required by the court;—to authenticate *vakalutnamahs and moktarnamahs;* to inquire into the circumstances of pauper petitioners, and to prepare suits for trial by receiving pleadings and exhibits.			4
	7. A single Judge to execute all decrees and orders passed, but not completely executed by two or more Judges of his own court.			2
	8. A single Judge to prepare for trial cases referred to the court for trial by the Gov. Gen. in C. or S. D. A.			6
	9. A single Judge may enter into any correspondence authorized to P. C. and conduct all business incident thereto, and furnish all periodical reports prescribed.			7
	10. All orders in conformity with these rules to have the same effect as orders of the court collectively. ..		5	
	11. The court at large or any two Judges thereof may always re-examine wsses. previously examined by a single Judge, and pass any orders in qualification or abrogation of the previous orders of a single Judge. ..		7	
	12. A single Judge competent to pass final orders on the appointment or removal of native ministerial officers attached to Z. or C. C. unless his opinion may differ with that of the Z. or C. Judge. ..	25. 14.	10	1
	13. A single Judge may suspend any ministerial officer attached to his own court; but all final orders regarding the removal or appointment of such native officers to be passed by two or more Judges. ..			2
	14. A single Judge may determine in the first instance on the admission or rejection of appeals whether regular or special;—orders of rejection on regular appeals being summarily appealable to the S. D. A. ..	13. 10.	4	3
	15. Also, if appeals be admitted, may issue process and pass orders with regard to security. *(See Reg. 6.)* ..	1. 07.	4	3
	16. *Exception.*—Special appeals only to be admitted on the concurrent opinion of two Judges. ..	9. 19.	5	
	17. A single Judge may receive all miscellaneous petitions connected with matters pending in any Z. or C. C. and cognizable by the P. C. A.; and may proceed thereupon, subject to the restriction (contained in the following rules)	13. 10.	4	6
Cl. 7. *Orders reversing Orders of Judgments appealed.*	1. A single Judge thinking any decision or order, coming before him in appeal, ought to be reversed or altered, is not to pass a final order thereupon, until another Judge shall sit on the case with him. ..		2	3
	2. A single Judge in such case to record his sentiments; and when a second Judge, sitting afterwards on the case, may concur in opinion, the decree to be passed, and the orders to be executed by the latter Judge without requiring both Judges to sit upon the case together;—the signature of the second Judge sufficient for the completion of such final orders; but the opinion of the first Judge to be set forth in the decree. ..	25. 14.	8	
Cl. 8. *Differences of Opinion.*	1. Whenever two Judges of a P. C. trying an appeal from decisions or orders of an inferior court, may differ in opinion, final judgment to be delayed until the opinion of a third Judge can be given on the case; the majority of opinions to decide the case.		9	2
	2. The same rule applicable whenever, during the trial of an original suit, a difference of opinion may arise between two Judges.			3
	3. The same rule applicable to all miscellaneous business under similar circumstances; if the difference of opinion involve a matter of judicial cognizance, and should no third Judge be at the *sudder* station, but within the division, the papers may be sent to him for his written opinion; otherwise the case to be delayed until they can be submitted to a third Judge.		9	4

* Subornation of perjury is omitted in this provision.

Ch. 12. *Provincial Courts, and Laws of Appeal.*

		Throughout all the Provinces.		
		Reg.	S.	C.
Sec. 2. Cl. 8.	4. Whenever in differences of opinion, four Judges may be equally divided, the senior Judge, coinciding with another, to have a casting vote, and decision to be passed accordingly.	25. 14.	9	5
Cl. 9.	*See rule* 11. *of cl.* 6. *and rule* 4. *of cl.* 8.			
Power of the Court at large. Cl. 10. *Particular Rules for the P. C. A. at Dacca.*	1. The Judges of the P. C. A. at Dacca being at the *sudder* station, while not holding a jail delivery at that city, when the arrears of business collect, form themselves into two courts; the senior and junior Judges, with the *kazy*, composing one, and the rest of the Judges, with the *moofty*, composing the other; the causes to be divided between the two courts, the senior Judge of either court to have a casting vote; but if the senior Judge be of opinion, that any order or judgment of a Z. or C. C. should be reversed, and no further appeal may lie to the S. D. A. the junior Judge being of a different opinion; the case to be referred either to a third Judge or to the whole court.	4. 02.	2	
	2. The separate courts to meet in separate rooms of the same house or in some other convenient and contiguous places.—Records of such court to be kept by the record keepers.—Process to be issued under the general rules.—The courts, so divided, authorized to entertain additional native officers, if necessary. ..		3	
	3. The application and operation of these rules to be at the discretion of the S. D. A. which court also is empowered to issue further instructions, when necessary, for the despatch of business in the Dacca P. C. A. ..		4	

		Bengal, &c			Benares.			C. C. Provs.		
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S	C.
Sec. 3. Cognizance of Original Suits.	1. P. C. may receive any original suits cognizable in a Z. or C. C.; and if it appear that the Z. or C. Judge has refused to receive or try the same, may desire him to do so by precept.	5. 93.	7		9. 95.	6		4. 03.	7	
	2. Regular suits for any amount exceeding 5000 Rs. to be instituted and tried in the P. C. of that division, in which either the property, if land, is situated, the deft. resides, or the cause of action arose.	13. 08.	3	1	—	—	—	—	—	—
	3. Pffs. having the option to institute suits to the amount of 10,000 Rs either in the Z. or C. C. or in the P. C. (*See Ch.* 1, *s.* 6, *cl.* 1, 2.) may petition the P. C. for the removal of such suit to the latter for trial; on receiving such petition, if sufficient reason, such as delay or otherwise, appear, the P. C. may forward it for the orders of the S. D. A. (*See Ch.* 13, *s.* 13, 2.) But any pffs. instituting a second suit for the same matter, liable to a fine, besides the dismissal of his suit. (*See ch.* 2, *s.* 1, *cl.* 1.)	19. 17.	3	2	—	—	—	—	—	—
	4. P. C. to try all original suits above 1000 Rs. removed from Z. or C. C. and referred to them by precept of the S. D. A. ..	19. 17. 25. 14.	3 3	1 1	— —	— —	— —	— —	— —	— —
	Such suits so transferred to be tried under the general provisions for P. C. ..	..	..	2	—	—	—	—	—	—
	5. Civil suits in appeal from the resumption of *lakhiraj* lands by the revenue authorities, to be instituted in the P. C., if the annual produce of the lands exceeds 500 Rs.*	2. 19.	25		—	—		—	—	
	6. On a dispute arising between parties, whether a suit instituted in a P. C. be cognizable in a Z. or C. C., the claim having been mis-stated, the court will make the proper inquiry; such objections on the part of the deft. must be made in the first instance; the orders of the court on such matters to be final.	13. 08.	5	1	—	—	—	—	—	—
	7. If it be decided, that the suit is cognizable by a Z. or C. C. the pff. to institute his suit *de novo* in such court; *vakeels* employed in such cases to receive a reasonable portion of the usual fees, not exceeding one-fourth; the institution fee to be returned to the pff.		5	2	—	—	—	—	—	—
	8. Suits in recovery of penalties from natives for contracting illegal loans with covenanted civil servants, to be instituted in the P. C. of the division. (*See ch.* 4, *s.* 17, *cl.* 2.)	7. 23.	8		—	—		—	—	
	9. The S. D. A. may, at any time when it may appear convenient, send for from the files of P. C. suits then pending for an amount equal to or above 50,000 current Rupees (or 43,103 Sa. Rs.) and try such suits in its own court. ..	25. 14.	5	1	—	—		—	—	
	10. P. C. to try every civil suit or matter referred to them by the S. D. A. ..	5. 93.	6		—	—		—	6	
	11. If, in consequence of inquiry in a Z. or C. C., a suit be transferred to the P. C. as uncognizable in the former, for all pleadings that may have been entered in the former court, *vakeels* will be entitled to a portion of the fees on decision of the suit; the institution fee not to be required a second time, (*see ch.* 1, *s.* 6, *cl.* 1, 4.)	13. 08.	6	2	—	—	—	—	—	—
	12. Summary suits of whatever amount are only cognizable in Z. or C. C. ..		7			—			—	
	For an exception regarding embezzlement by native officers, (*see ch.* 5, *s.* 11.)									

* See note to Ch. 1, s. 6, and the late enactments, Ch. 11, s. 15.

Ch. 12. Provincial Courts and Laws of Appeal.

		Bengal, &c.			Benares.			C. C. Provs.			
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.	
Sec. 4. Process of Provincial Courts. Cl. 1. *Execution of.*	1. All process of the P. C. or of the S. D. A. served through a P. C. to be issued through the Judge of that jurisdiction in which the deft. or other party resides, the property lies, or the cause of action arose, unless the party be present at the court;—a period to be fixed for the execution of every order. If a Judge at any time disobey such order, or make a false return thereto, such conduct to be immediately reported to the S. D. A.: any Judge, so offending, may be suspended by the S. D. A.	5. 93.	15		9. 95.	6		4. 03.	15		
	2. All process and orders for executing decrees, to be enforced and returned by the Z. or C. Judge by the time specified, or sufficient reason to be given for delay. (For the forms of returns to such orders, *see Ch.* 1, *s.* 11, 1. *See also s.* 7.) (*c*)		16			..			16		
	3. Z. or C. Judges, doubting the legality of precepts from the P. C. may suspend execution of the same pending remonstrance;—but any second precept bearing the former order from the P. C. to be executed without delay; should the Z. or C. Judge request a reference to the S. D. A. such reference to be made, except the matter in doubt rests entirely with the discretion of the P. C., such reference being only intended to settle all disputed interpretations of the regulations. ..	10. 96.	2		—	—		22*. 03.	2		*To the Doab, &c. by S. 1805, 17.
	4. The Z. or C. Judge having made return, that any deft. is not to be found, and that the prescribed notification has been made, the P. C. will decide the suit *ex-parte.*	5. 93.	17		..	..		4. 03.	17		
Cl. 2. *Resistance of.*	1. Any actual proprietor of land being charged with resistance to any process of a P. C., such person to be summoned by the P. C., and if not forthcoming, notice to be issued as above prescribed, (*See Ch.* 1, *sec* 11, 1.) If the party fail to attend, or if, attending, the fact be proved against him, his *zemindary* to be decreed forfeited to Government by the court. Decrees in such cases only appealable to the S. D. A. when the annual produce of the lands forfeited shall *exceed* 5000 *Sa. Rs.** (amount to be calculated according to the receipts of the offender for the year in which the decree is passed.)—If not appealable or not appealed within the limited time (*See Ch.* 13, *s.* 4, *cl.*3.), P. C. will forward copy of the decree of forfeiture to the Gov. Gen. in C. If appealed and the produce of the lands (on which cognizance of such appeal depends) be doubtful, the S. D. A. may require information from the P. C. The Gov. Gen. in C. may commute such sentence of forfeiture to a fine to be levied as a decree. ..	5*. 98.	2		—	—			.		* The original enactment for Bengal, &c. fixes this limit at 1000 Rs.; but the amount being extended to 5000 by the enactment for the C. C. P., it is presumed, that the rule contained in 5. 1798 applies to these suits. It is no where specified that the enactments of 1814, regarding appeals, relate to those cases. † This enactment in fact only applies to Z. and C. C.
		5. 93.	23		9. 95.	7		4. 03.	23		1
	2. Such decrees of forfeiture not to be final, until confirmed by the Gov. Gen. in C.	9. 99.†	3		—	—					2
	3. If the Gov. Gen. in C. confirm the forfeiture, the P. C. to order the Collector of the jurisdiction to depute an *ameen* (or, if the lands be inconsiderable, to order his nearest *tehseeldar*) to take charge of the lands. ..	5. 93.	23		..	8					3
	4. The Gov. Gen. in C. may confer such forfeit lands on the heirs of the former proprietors, or order them to be sold.		24			9	2		24		
	5. In the province of Benares, if the land form a distinct *puttehdary*, the Gov. Gen. in C. may confer the revenue of such land upon the principal proprietors, or the *puttehdar* within whose *putteh* it may be included.					..	..		.		
	6. Farmers of Government convicted of resistance to the process of a P. C. to incur a cancelment of their farms under similar rules with regard to process, forfeiture, confirmation, and appeals: such farms being cancelled, the farmer and his surety to be held responsible for all arrears at the end of the year; and may recover arrears of rent from under-tenants by the prescribed processes; the Gov. Gen. in C. may commute the sentence of forfeiture to a fine, and compel the farmer to continue his lease.		25			10 11			25		
	7. If such offender be neither a landed proprietor nor a Government farmer, he will be liable to a fine under similar provisions; the order being appealable when the fine may exceed 5000 Rs.† (confirmation by the Gov. Gen. in C. not prescribed as necessary.)		26			6			26		† See above note.
Sec. 5. General Rules for Trial of Suits. Cl. 1. *Security.*	The provisions in force regarding securities for Z. or C. C. applicable to the trial of suits by the P. C. *(See Ch.* 2, *sec.* 2, *cl.* 2, and 4.) ..	2. 06.	7		—	—		—	—		
Cl. 2. *Rule for Pleading.*	No person to be heard in trials of suits by P. C. except the parties, their *vakeels* or wsses.; and no *vakeel* to proceed or plead in a case until appointed by *vakalutnameh. (For pleadings see Ch.* 2, *sec.* 2, *cl.* 6.*)*	5. 93.	22		9. 95.	6		4. 03.	22		
Cl. 3. *Witnesses.*	1. Wsses. not attending, refusing to give evidence, guilty of perjury or contempt of court, before a P. C., to be proceeded against in the same manner as is directed for Z. and C. C. *(See Ch.* 2, *s.* 2, *cl.* 8, also *Ch.* 1, *s.* 5.*)* ..		20			..			20		

(*c*) The C. O. of S. D. A. April 20, 1801, and Oct. 12, 1803, direct, that precepts of court in English shall enclose the processes to wsses, &c. as well as order to European officers of Government; and that applications for papers, &c. be enclosed in a short English address.

Ch. 12. Provincial Courts and Laws of Appeal.	Bengal &c. Reg.	S.	C.	Benares. Reg.	S.	C.	C.C. Provs. Reg.	S.	C.
Sec. 5. Cl. 3. 2. P. C. may admit wsses. to give evidence or solemn declarations in the same manner as Z. and C. C.; evidences of females of rank and of persons residing above 50 *kos* from the court to be taken as prescribed for Z. and C. C. .. *(See Ch. 2, s. 2, cl. 8.)*	5. 93.	19		9. 95.	6		4. 03.	19	
3. Whenever a wss. may reside at a great distance from the P. C. the Z. or C. Judge of the jurisdiction may be instructed to take the deposition required. ..	13. 08.	9		—	—		—	—	
4. In such cases the P. C. will transmit to the Z. or C Judge written interrogatories prepared and signed by the parties or their *vakeels*, and countersigned by the provincial Judge, parties or their *vakeels* attending at such examinations may put further questions to the wsses.	26. 14.	11		—	—		—	—	
5. The S. D. A. and P. C. may dispense with sending such written interrogatories, but may furnish the Z. or C. Judge with particular instructions as to the matter to which evidence is required. The Z. or C. Judge or his Register, if practicable, will take such examinations in person, instead of leaving them to their native officers.	19. 17.	11		—	—		—	—	
6. Whenever it may appear advisable, the P. C. may cause the depositions of wsses. to be taken by a Judge of their own court proceeding on circuit. ..	13. 08.	10		—	—		—	—	
Cl. 4. *General Provisions.* 1. In the trial of all suits, whether original or appealed, before the P. C., the general provisions for the conduct of suits in Z. or C. C. to be attended to. .. *(See Ch. 2.)*	5. 93.	11		..	..		..	11	
2. Appeals to be dismissed if neglected for six weeks without sufficient reason for delay being shown by the appt. *(d)* ..		21			..			21	
Sec. 6. Decisions of Provincial Courts. Cl 1. *Execution of.* 1. The P. C. may generally cause their decrees to be executed through the Z. or C. C. to which they relate. *(See s. 4.)*	..	6		..	..		—	6	
2. The P. C. may enforce their decrees for money against proprietors of land, by ordering Z. or C. C. to execute them on the general rules. .. *(See Ch. 2, s. 3, cl. 3, and 4.)*		27			..			27	
3. Decrees of a P. C. relating to the jurisdiction of that Z. or C. C. in which the P. C. is stationed, to be executed and enforced by its own authority and officers.	2. 21.	8		—	—		—	—	
Cl. 2. *Revision of.* P. C. may apply for permission to review their own judgments under the provisions contained in sec. 4. of Reg. XXV. 1814. *(See Ch. 1, s. 8.)* ..	26. 14.	4	2	—	—	—	—	—	—
Cl 3. *Appeals from.* 1. A petition of appeal from an original decision of a P C. being presented to that court, if admitted, the senior Judge* to endorse the petition with the date of admission, the word "appealed" to be written against the record of the case, and notice to be given to the appt. that if he fail to conduct the suit within six weeks it will be dismissed. (This period to be calculated from the date of filing the petition of appeal, 12.1797. 4.) ..	6. 93.	10		10. 95.	2		5. 03.	10	8
2. If the petition be rejected, copy of the order to be given to the appt. as soon as practicable.	12. 97.	3		—	—			11	
3. The petition being admitted, the record and all the papers of the case to be sent to the S. D. A. within 15 days (e), copies of all papers to be kept in the *surishta;* these copies to be authentic evidence in other courts when adduced; when the originals may be mislaid, authentic copies to be sent to the S. D. A. *(For rules concerning copies of decrees, see Ch. 2, s. 3, cl. 2, 4, &c.)*	6. 93.	11		..	..		..	..	
Sec. 7. Correspondence and Precepts. Provincial Judges prohibited from corresponding with parties in suits before them relating to any matter under their cognizance; persons having representations to make to do so in person or by *vakeel;* copies of all orders on such representations to be given to such persons under the court seal *(f)*. Provincial Judges prohibited corresponding with Z. or C. Judges respecting matters before them, and concerning which they are not specially empowered to correspond. Precepts to be issued under the seal of the court, commanding the Z. or C. Judge to execute the order, or to furnish information whenever such may be requisite.	5. 93.	9		9. 95.	6		4. 03.	9	
Sec. 8. Cognizance of Regular Appeals by the P. C. A. 1. Any person deeming himself aggrieved by the decision of a Z. or C. C. is at liberty to present a petition of appeal to the P. C. A.		12			..			12	1
2. Appeals to lie to the P. C A. from the decisions of all Z. and C. Judges in regular suits tried by them; as also direct from all decisions of Registers in suits exceeding 500 Rs. and referred to them under sec. 9. of Reg. XXIV. 1814. *(See Ch. 8, s. 1, cl. 4.)*	25. 14.	3	3	—	—	—	—	—	—
3. Regular appeals to lie to the P. C. A. from decisions of Z. and C. Judges, in suits between 5000 and 10,000 Rs. *(See Ch. 1, s. 6, cl. 1. 2.)*	19. 17	6	1	—		—	—	—	—

* See sec. 2, Cl 6, 14. of this chapter.

(d) By the C. O. of S. D. A. the courts are directed to issue notice to parties to state such reasons of delay; before dismissing the suit, the first notice prescribed for civil suits is to be issued. See Ch. 2, s. 2, cl 2.

(e) The C. O. of S. D. A. May 3, 1798, direct, that in appeals from dismissal for default, copies of the final proceedings only need be forwarded to the S. D. A. By the C. O of July 11, 1809, all papers in Bengalee are to be translated into Persian, in records so transmitted, and the C. O. of April 27, 1797, direct, that when petitions of appeal are forwarded to the S. D. A. it is to be stated, whether the decree is executed or not.

(f) The C. O. of Dec. 3, 1795, enjoin that such copies be always given to parties requiring them.

Ch. 12. Provincial Courts and Laws of Appeal.	*Bengal, &c.*			*Benares.*			*C. C. Provs.*		
	Reg.	*S.*	*C.*	*Reg.*	*S.*	*C.*	*Reg*	*S.*	*C.*
Sec. 8. 4. Regular appeals to lie to the P. C. A. from the decisions of inferior courts in suits against the resumption of lands by the regular authorities; provided such decisions annul or alter the judgment of the B. of Revenue (*See Ch. 1, s. 6, cl. 1. 3**.)	14. 25.	6		—	—		—	—	
5. Decisions of Z. and C. C. upon charges of resistance to their process are regularly appealable to the P. C. A. (*See Ch. 1. s. 5. cl. 3. 4.*)	4.93.	22, 24, 25		8. 95.	2,8		3.03.	23, 25, 26	
6. Decisions of Z. and C. C. upon charges of resistance to process of Collectors open to similar regular appeals. .. .. *See Ch. 1, s. 5, cl. 4.*	5.98. 14.93. 7.99.	8 15, 24	 &c	— —	— —		27. 03.	23	
7 Petitions of appeal from decisions of Z. and C. C. given on awards of arbitration to be dismissed with costs, unless two credible wsses. depose on oath to gross partiality or corruption on the part of the arbitrators.	5. 93.	28		8. 95.	6		4. 03.	28	
8. Decisions of Z. or C. Judges, on cases of contraband salt, or misconduct of officers in the salt department, appealable to the P. C. A.; provided the quantity of salt confiscated exceeds 200 maunds, or the fine imposed exceeds 500 Rs. (*See Ch. 1, s. 5, cl. 9.*)	10. 19.	114		—	—		—	—	
9. Appeals by paupers not to be admitted, unless the original judgment appear erroneous.	28. 14.	12	3	—	—	—	—	—	
10. No appeal to lie to the P. C. A. from the Commissioner for the N. E. Frontier of Rungpoor.	10. 22.	6							
Sec. 9. Rules for the Conduct of Regular Appeals. Cl. 1. *Form of Petition.* 1. Petitions of appeal to specify the annual produce of the land, or the value of the property decreed by the original decision, the name of the person who obtained the decree, and the court in which it was passed; also when the judgment was given, whether it has been executed, and the motives of appeal: the cognizance of appeals to be decided by the amount decreed.	5. 93.	12		9. 95.	6		4. 03.	12	2
2. Petitions of appeal need only set forth a desire to appeal, without specifying the motives or grounds of appeal.	26. 14.	8	2	—	—		—	—	
3. Appts. may set forth motives for appeal and grounds of dissatisfaction with decisions, either in the petition of appeal, or in a subsequent and separate pleading, which, however, must be on the prescribed stampt paper.			5			—			—
4. Plaints in regular appeals to be on the stampt paper as plaints in regular suits. (*See the scale in Ch. 2. s. 2. cl. 1. 3.*)	1. 14.	13		—	—		—	—	
Cl. 2. *Presentation of.* 1. The petition of appeal to be first presented in the Z. or C. C. wherein the original decree was passed; if rejected, a second petition may be presented to the P. C. A. (*See Ch. 2, s. 4.*)	12. 97.	4		—	—		4. 03	12	1
2. The P. C. A. may if it think proper receive the petition of appeal direct. ..	2. 05.	12		—	—		—	—	
3. If the petition be presented in the court wherein the decree was passed, it is not necessary that it should be accompanied by an authenticated copy of the decree. *(g)*	26. 14.	8	2	—	—	—	—	—	—
4. But if presented to the P. C. A. direct, or in any court wherein the appeal will be tried, it must be accompanied by such copy of the decree. ..			7			—			—
Cl. 3. *Limitation of Appeals.* 1. Petitions of appeal to be presented (in whichever court) within three months after the date of the decree, unless satisfactory reasons be given for further delay. .. (*See cl. 5. 1.*)	5. 93.	12		9. 95.	6		..	..	4
2. Such period to be calculated from the date of the decree excluding the period from the date of furnishing the stampt paper (*See Appendix to Ch. 2, s. 2, cl. 1. 7*) to that of supplying or furnishing copy of the decree. ..	26. 14.	8	10	—	—	—	—	—	—
3. *Exception.*— Persons sentenced to fine and imprisonment, in cases of contraband salt or misconduct of officers in the salt department, if desirous of appealing, to present their petition of appeal within six weeks after the decision. (*See Ch. 1, s. 5, cl. 9.*)	10. 19.	114		—	—		—	—	
Cl. 4. *Execution of the Original Decrees.* *See Ch. 2, s. 4, cl. 2.*									
Cl. 5. *Securities.* 1. The petition of appeal to be accompanied with sufficient security for all eventual costs; the presentation of petitions of appeal without such security not to prevent the limitation of three months from being strictly calculated and attended to.	5.93. 26.14.	12 8	 2	.. —	.. —	 —	.. —	.. —	6 —
2. The party acquiring or retaining possession of the property disputed, (*see Ch. 2, sec. 4, cl. 2,*) having given security for performance of the final judgment, should the court at any time deem further security necessary for any purpose, it may be required, and, on failure, possession be given to the other party, on filing the security demanded. Such supplemental security only demandable by the P. C. (*See Ch. 2, s. 4, cl. 2. 7, 8. 9.*)	3. 02.	2		—	—		..	.	8
For the stampt paper security bonds, see Appendix to Ch. 2, s. 2, cl. 1. 12.									

* See further 1 s. 10, cl. 1. 4, 1 of this chapter.

(*g*) The C. O. of S. D. A. March 16, 1818, explain that copies of decrees and documents filed with petitions of appeal (regular or special) should be subject to the rule contained in Reg. 1. 1814, 15, (See Ch. 2, s. 2, cl. 7. 5); i. e. be filed with *durkhasts* on stampt paper.

Ch. 12. Provincial Courts and Laws of Appeal.	Bengal &c. Reg.	Bengal &c. S.	Bengal &c. C.	Benares. Reg.	Benares. S.	Benares. C.	C.C.Provs. Reg.	C.C.Provs. S.	C.C.Provs. C.
Sec. 9. Cl. 6. *Pleaders' fees.* Deposits of pleaders' fees in suits of appeal, to be made in that court, wherein the appeal is to be tried, and to be made on the appointment of a *vakeel* to conduct such appeal.	26. 14.	8	4	9. 95.	6		4. 03.	12	8
Cl. 7. *Pleadings.* 1. The respt. in a regular appeal is at liberty to file an answer or not, but the court may always require him to do so if necessary. ..		9	2	—	—	—	—	—	—
2. No further pleadings to be admitted, except such supplemental pleadings as may be authorized by the court.			3			—			—
See Ch. 2. sec. 2. cl. 6. 7, 8, 9, 10, 11,—the rules therein contained being applicable to appeals.									
Cl. 8. *Witnesses.* In cases of appeal the P. C. A. may require further evidence to be taken when necessary, or refer the suit back to the Z. or C. Judge with special orders as to the new evidence to be taken; the grounds for such orders always to be recorded.	5. 93.	18		..	6		..	18	
See the rules contained in s. 5, cl. 3, of this chapter, such being applicable to appeals.									
Cl. 9. *Default.* Suits of appeal to be dismissed if not proceeded in for a period of six weeks, unless satisfactory cause for delay can be shown. ..		21		..				21	
Cl. 10. *General Rules.* 1. No Judge to try a suit of appeal from any decision or order passed originally by himself. ..	13. 10.	2	4	—	—	—	—	—	—
2. The pleadings, exhibits, and every paper in the record of an appeal suit to be signed, numbered, and dated. ..	5. 93.	29		..	..		..	29	
3. Where no specific rules exist, P. C. to act according to justice, equity, and good conscience.		32			..			32	
See also sec. 5, cl. 4. of this chapter.									
Cl. 11. *Special Appeals from Decisions.* The Judges of the P. C. A. may recommend the S. D. A. to admit special appeals from their own decisions, whenever it may appear proper. ..	9. 19.	3	2	—	—	—	—	—	—
Sec. 10. Cognizance of Special Appeals. Cl. 1. *Cases specially appealable.* 1. Any party dissatisfied with a decision on a regular appeal in a Z. or C. C. may present a petition for a further investigation in the superior court competent to receive the same.	26. 14.	2	2	—	—	—	—	—	—
2. The P. C. A. may admit special appeals from the decisions of Z. and C. Judges in suits of appeal from the decrees of Registers, *sudder ameens*, and *moonsiffs*	25. 14.	3	2	—	—	—	—	—	—
3. P. C. A. may admit special appeals *in formâ pauperis*, (*See Ch. 3, s. 3, cl. 2, 8.*)	2. 25.	5		—	—		—	—	
4. P. C. A. may admit special appeals (not regular ones, *see s. 8, 4,* of this chapter) from decisions of Z. or C. C. which in regular suits have confirmed the resumption of *lakhiraj* lands by revenue authorities.	2. 19. / 14. 25.	26 / 6	1	—	—	—	—	—	—
5. P. C. A. may admit special appeals from the orders of a Z. or C. Judge in appeals from the orders of Registers in executing decrees of *moonsiffs* and *sudder ameens*.	2. 21.	7	2	—	—	—	—	—	—
6. From the decisions of Registers on appeals from former Registers, (*see Ch. 8, s. 1, cl. 4. 7,*) special appeals to lie to the P. C. A.	9. 19.	8	3	—	—	—	—	—	—
Cl. 2. *Rules for Admission of Special Appeals.* 1. Special appeals only to be admitted on the concurrent opinions of two Judges of the P. C. A.		5		.	—			—	
2. Special appeals only to be admitted when the former judgment, upon the face of the decree, shall appear to be inconsistent with some judicial precedent, or with some regulation or native law, or when the judgment involves some new point of general importance.	26. 14.	2	2	—	—	—	—	—	—
3. Or when the decree may be inconsistent with another decree of the same court in a similar case, or with another decree of another court (of equal powers) in the same or a similar case.	19. 17.	7	1	—	—	—	—	—	—
4. Previous to admitting special appeals the P. C. A. may call for any papers besides those presented by the appellant petitioners; or for any documents or proceedings from the original record.	9. 19.	4		—	—		—	—	
5. If the P. C. A. refuse to admit a special appeal, the S. D. A*. (on application by the party) may order it to be admitted and tried.		3	3		—	—		—	—
6. Orders on petitions for special appeals otherwise final and not open to revision by superior court.	26. 14.	2	6	—	—	—	—	—	—
Sec. 11. Particular Rules for the Conduct of Special Appeals. 1. Petitions of special appeal to be on stampt paper according to the amount of suit (*see the scale in Ch. 2, s. 2, cl. 1. 3,*); such petition to state the grounds on which further investigation is desired; to be presented by the party or his									

* This authority is not vested in P. C. A. with regard to the rejection of special appeals by Z. or C. C.

Ch. 12. Provincial Courts and Laws of Appeal.

		Bengal, &c.			Benares			C. C Provs.		
		Rs.	S.	C.	Rs.	S.	C.	Rs.	S.	C.
Sec. 11. Cl. 1. *Petition of Appeal.*	*vakeel*; if by a *vakeel* to be endorsed by him to the effect, that he believes the pleas, stated in the petition, to be well grounded and sufficient. ..	26. 14.	2	3	—	—	—	—	—	—
Cl. 2. *Limitation of Appeal.*	Petition of special appeal to be presented within three months, after the date of the decree (calculated as prescribed in s. 9, cl. 3. 2.)		8	11		—	—		—	—
Cl. 3. *Security and General Trial.*	If the special appeal be admitted, the prescribed security for eventual costs, &c. (*see s. 9, cl. 5,*) to be required, *vakeels'* fees to be deposited; the court to proceed as prescribed for the trial of regular appeals. (*See s. 9.*) ..		2	4		—	—		—	—
Cl. 4. *Rules on Rejection.*	1. If the petition be rejected, the appt. not entitled to receive back the amount of stamp duty; but the court has a discretionary power of return, not exceeding three-fourths of such duty in cases of hardship ..	26. 14.	2	5	—	—	—	—	—	—
	2. On the rejection of special appeals, the court to determine the remuneration of *vakeels* for filing the petition; such remuneration never to exceed one-fourth of the amount payable, had the appeal been admitted. ..			7			—			—
Cl. 5. *Reference back to the original Court.*	1. The court empowered to receive special appeals, may either try the case or refer it back for retrial and a second judgment, either to the court wherein the original judgment was passed, or to that wherein the decree in appeal was passed.	19. 17.	7	2	—	—	—	—	—	—
	2. Whenever suits may be so returned for revision (whether in regular or special appeal) the stamp duty of the petition of appeal to be returned to appt. and the pleader's remuneration to be limited to one-fourth of the established fee. ..		8			—			—	
Sec. 12. Cognizance and Conduct of Summary Appeals. Cl. 1. *Summary Appeals from Orders on Cognizance of Suits.*	1. Z. and C. Judges being empowered to inquire whether suits from their actual amount are cognizable by them, (*see ch. 1. s. 6, cl. 1. 4,*) from all orders on such inquiries a summary appeal to lie to the P. C. A; the petition of appeal to be presented within one month after the order appealed was passed. ..	13. 08.	4	1	—	—	—	—	—	—
	2. Such petitions may be presented, either in the Z. or C. C. or to the P. C. A. direct; in the former case all proceedings to be staid in that court, until the determination of the P. C. A. on the appeal.			2			—			—
	3. Institution fee not to be required on such appeals, (*see cl. 2. 3.*) Fees of pleader to be at the discretion of the court, but never to exceed one-fourth of the fees established for regular appeals.	13. 08.	4	3	—	—	—	—	—	—
	4. If from such summary appeal, it appear that the original suit, though not cognizable in the Z. or C. C. yet was not fraudulently instituted therein, the P. C. A. may order the amount of stamp duty on institution to be returned; and the pff. may institute a suit *de novo* in the P. C. ..	26. 14.	7	2	—	—	—	—	—	—
Cl. 2. *Summary Appeals in Suits rejected or dismissed on Default.*	1. P. C. A. competent to receive a summary appeal from Z. and C. C. in original or appealed suits which may have been rejected, or, after admission, may have been dismissed on default without inquiry into the merits of the case. ..		3	2,3		—	—		—	—
	2. Petitions for such summary appeals to be presented within the limitation prescribed for the regular appeals. (*See s. 9. cl 3, of this chapter.*) ..			5			—			—
	3. Parties or their *vakeels* to present such petitions written on stampt paper, of one rupee, *see appendix to ch. 2, s. 2, cl. 1. 4, 5,*) accompanied by an attested copy of the order appealed in the court competent to receive the same. ..			6			—			—
	4. Such petitions of appeal not to incur the stamp duty calculated on the amount of suit; deposits of *vakeels'* fees not to be required from the petitioners, nor any security to be required, except such as may eventually be necessary for staying the execution of decrees.			7			—			—
	5. Such petitions being received, notice need not be issued to the respt., nor his attendance required, unless it may appear necessary to the court; such proceedings only to be held as may determine whether or not the suit was rejected or dismissed according to the regulations. ..			8	—	—	—	—	—	—
	6. If it appear, that the suit or appeal was rejected, or dismissed without any investigation into the merits, on insufficient grounds, or contrary to the regulations, the court may direct the suit to be revived in the lower court, and retried on its merits.			9			—			—
	7. If such do not appear, and the petition be groundless and litigious, the appeal to be dismissed, and the petitioner liable to a reasonable fine, never exceeding the amount of stamp duty that would have been payable had the suit been regular; such orders of fine not open to appeal.			10			—			—
	8. *Vakeels* in such cases to be remunerated at the discretion of the court, but never to be entitled to more than one-fourth of the fee established for an equivalent regular suit.			11			—			—
Cl 3. *Summary Appeals generally.*	1. Summary appeals to lie to P. C. A. from the decisions of Z. and C. Judges on summary inquiries into charges of embezzlement, or the withholding of public accounts by native officers, (*See ch. 5, s. 11.*)	18. 17.	7	5	—	—	—	—	—	—

Ch. 12 Provincial Courts and Laws of Appeal.	*Bengal, &c*			*Benares.*			*C.C. Provs.*		
	Reg.	*S.*	*C.*	*Reg.*	*S.*	*C.*	*Reg.*	*S.*	*C.*
Sec. 12. Cl 3. Decisions by the P.C.A. on such summary appeals specially appealable to the S.D.A.	18. 17.	7	7	—	—	—	—	—	—
2. Summary appeals admissible in P. C. A. from the decisions of Z. or C. Judges or Registers upon summary investigations into the legality of sales, in liquidation of decrees *under the general rules for such appeals.* (*See Ch.* 2, *s.* 3, *cl.* 5 *and* 6.)	7.25.	3	5	—	—	—		—	
		5	2		—	—		—	—
3. Decisions of Z. or C Judges on summary investigations, concerning hidden treasure, are summarily appealable to P. C. A., *on the rules prescribed for such appeals.* (*Sec. Ch.* 5, *sec.* 15.)	5. 17.	9		—	—		—	—	
4. Summary appeals may be instituted by paupers. (*See Ch.* 3, *s.* 3, *cl.* 3.) ..	2. 25.	5		—	—		—	—	
5. Summary decisions of Judges on complaints of dispossession from lands appealable to the P. C. A. on the plea of irrelevancy or misapplication of the regulations.	5. 98.	7		—	—				
6. Orders of Z. and C. Judges in adjustment of the accounts of defaulters in confinement, appealable to the P. C. A.	14. 93.	29		6. 95.	25		27. 03.	32	
7. Orders of Z. and C. Judges appointing managers to disputed, undivided estates, appealable to the P. C. A.; as also orders of Z. and C. Judges; upon petitions against the management of such managers.	5.12	26		—	—		--	—	
		27			—			—	
8. Orders of Z. and C. Judges, with regard to insolvent confined debtors, (*See Ch.* 2, *s.* 3, *cl.* 7.) appealable to the P. C. A.	2. 06.	11		—	—		—	—	
9. P. C. A. competent to receive petitions relating to any matters pending or decided in a Z. or C. C.; and if it be proved, that such petitions were rejected in that court, or were prevented from being presented by the native officers of that court, the P. C. A. may direct the petition to be received, and its matter investigated...	2. 98.	6		—	—				
Note. The summary appeals enumerated in *cl.* 3. are clearly of a different character from those described in the two preceding clauses; and the provisions abstracted in cl. 2, could not have been constructed generally for appeals from decisions on summary investigations, though (as in Nos. 2. and 3,) they are directed to be obeyed. The term *summary* is inconsistently applied to all. The appeals contained in Nos. 6, 7, 8, and 9, appearing of the same character as the preceding, are here classed under the same head.									
Sec. 13. Miscellaneous. Cl. 1. *Appeals from Registers acting as Judges.* Whenever a Register may be in charge of a Z. or C. Court, the P. C. A. may, to prevent delay, order appeals from his decisions as Register to be forwarded for trial or judgment to this court; as also whenever there may be no Judge at hand to receive appeals from Registers.	2. 05.	14	3	—	—	—	—	—	—
Cl. 2. *Charge for corruption against Officers of Z. and C. C.* 1. Any person before a P. C. A. charging the ministerial officers of a Z. or C. C. with corruption, and proving that such charge was rejected in the said court, the P. C. A. may refer the matter for investigation to the lower court, desiring inquiry to be made; if the charge relate to any matter pending before the P. C. A. the charge is to be referred for investigation on the mere oath of the complainant.	13. 93.	9	4	12. 95.	2		12. 03.	12	4
2. If the P. C. A. see any objection to referring the trial of such charge to the Z. or C. C., on reporting the reasons for such objection to the S. D. A., that court will order the complaint to be received and tried in the P. C. A. or the Z. or C.C. as it may think proper.			6		..				6
Cl 3. *Summary Inquiries concerning Embezzlement, &c.* The P. C. may hold summary investigations on charge, or suspicion of embezzlement, or of withholding public accounts, against any of their own native officers. (*See. Ch.* 5, *S.* 11.)	18. 17.	7	2	—	—	—	—	—	—
Cl. 4. *Execution of orders from the S. D. A.* 1. P. C.A. to enforce and execute all orders received from the S. D. A. (*See s.* 4 *of this Chapter.*) Judges of P. C. A. liable to suspension by the S. D. A. for any disobedience of precepts or orders, or for any false return thereto. ..	6. 93.	13		10. 95.	6		5. 03.	13	
2. Returns to be made to every process of the S. D. A. by the time fixed, or reason to be stated for delay *(h)*; return to be made by endorsement on the precept, or on a paper separate and referred to by a note on the back of the precept: if the process cannot be served, notice to be stuck up in the court room, and a copy on the outer door of the person's house or in some conspicuous part of his village, that if he do not attend within the time fixed by the precept of the S.D.A. the suit will be tried and decided *exparte*; copy of the return to be kept in the records of the P. C.		14			..			14	
Cl. 5. *Translations.* P. C. A. not required to furnish translations of their decrees to the S. D. A. unless directed to do so by a precept of that court.	2. 01	2		—	—		—	29	
Cl. 6. *Final Judgments.* Judgment of the P. C. A. final on suits for personal property or land, valued by the annual produce, the amount decreed in which does not exceed 5000 Rs.—or for *lakhiraj* land the annual produce of which does not exceed 500 Rs. ..	5. 98.	2		—	—		5. 03.	10	1
Note. This provision, though not specifically repealed or modified, is virtually superseded by the enactments for special appeals in Reg. XXV. and XXVI. 1814.									

(h) If delay occur in transmitting any papers to the S. D. A. the court is authorized by the C. O. of June 1, 1821, to entertain extra *mokurrirs*; the C. O. of June 25, 1801, direct that all returns to precepts be made in the Persian language and not in English; and the C. O of June 1, 1796. direct, that when precepts cannot be conformed to within the time prescribed, report to be made by what period they will be executed.

CHAPTER XIII.

THE COURT OF SUDDER DEWANNY ADAWLUT.

		Bengal, &c.			Benares.			C. C. Provs.		
		Reg.	S.	C.	Reg.	S.	C	Reg.	S.	C.
Sec. 1. Constitution of the Court. Cl. 1. *General Court.*	1. The court of S. D. A. to consist of a Chief Judge, and as many Puisne Judges as the Gov. Gen. in C. may from time to time think necessary for the despatch of the business of the court.	12.11.	2		—	—		—	—	
	2. The court of S. D. A. to be held in Calcutta; no orders to be passed but on court days and in open court. A circular seal to be attached to the court. *(For form of seal, see the Reg.)*	6.93.	3		10.95.	2		5*.03.	2,8	
	3. Each Judge on his appointment to take and subscribe an oath, similar to the form prescribed for Judges of the P. C. *(See* Reg. V. 1793. 2.)	2.01.	4		—	—		—	—	
	4. Ordinary sittings of the court to be three times a week; special sittings to be summoned by the Register on the orders of the Chief Judge. In the absence, or on the indisposition of the Chief Judge, the senior Judge to exercise the power vested in him.		5			—			—	
	5. Two Judges necessary to constitute a court: whenever two Judges, sitting together, may differ in opinion, the case to be postponed for the consideration of a third Judge: three Judges sitting on a case, the opinion of the majority to decide.		6			—			—	
	6. Whenever four Judges may sit in court, and may be equally divided in opinion, the voice of the chief Judge, coinciding with that of any other Judge, to be considered a majority; the chief Judge having a casting vote.	25.14.	18		—	—		—	—	
Cl. 2. *Authority and Orders of single Judges.*	1. Whenever absence, indisposition, or a vacancy may prevent the sitting of two Judges of the S. D. A. one Judge shall be competent to hold a court. ..	13.10.	6	2	—	—	—	—	—	—
	2. Or whenever it may appear expedient for the despatch of business. ..	25.14.	6		—	—		—	—	
			16			—			—	
	3. Any single Judge may take depositions of wsses. instead of requiring them to be taken by the Register.	2.01.	6		—	—		5.03.	2	
	4 A single Judge may perfect interlocutory decrees passed by himself, or by any other Judge or Judges of the S. D. A. taking care not to alter any order of any other Judge or Judges.	13.10.	8	1,3	—	—	—	—	—	—
			4	2		—	—		—	—
	5. A single Judge sitting on any original suit or case of appeal may pass any order or receive any evidence or other proof relating to the trial of such suit; the court at large may always re-examine wsses. already examined by a single Judge, and may pass any orders consistent with the regulations, whether in qualification or abrogation of any previous orders of a single Judge.		4	4		—	—		—	—
			8	1		—	—		—	—
	6. A single Judge may commit wsses. guilty of perjury to the court of circuit, or hold such persons to bail.		4	5		—	—		—	—
			8	1		—	—		—	—
	7. A single Judge may determine on the admission or rejection of all applications for appeal, whether regular or special; unless the decision appealed was originally passed by himself, (special appeals only to be admitted by two Judges, Reg. IX. 1819, 5.)		8	2		—	—		—	—
	8. No single Judge of the S. D. A. in any way competent to alter or reverse the decision or order of two or more Judges of the court.			3			—		—	—
	9. Any single Judge sitting upon any case of appeal, who may think the original decision ought to be reversed or altered, is not competent to pass a final order to that effect thereon. ..	13.10.	6	3	—	—	—	—	—	—
	10. A single Judge, in such case, recording his sentiments, the case to be brought before a second Judge, and if the second Judge agree in opinion with the former, he may (without waiting to sit with the former Judge) pass a final decree, and carry the same into execution; such decree may be signed by the second Judge alone, but must contain the recorded opinion of the former Judge. ..	25.14.	8		—	—		—	—	
			16			—			—	

* To the Doab, &c. by 8, 1805 10.

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		Bengal, &c.			Benares.			C.C. Provs.			
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S	C.	
Sec. 1. Cl. 2.	11. A single Judge competent to receive all miscellaneous petitions relating to matters pending in inferior courts, and generally all petitions admissable by the S. D. A. and to proceed thereon.	13.10.	4	6	—	—	—	—	—	—	
	12. Decisions and orders of single Judge to have the same effect as those of the court at large.		8	1		—	—		—	—	
			7								
Sec. 2. Cognizance of Original Suits.	Whenever the pressure of business in P. C. may render it expedient, the S. D. A. may send for from those courts, and try, any suits amounting to 50,000 current (or 43.103 Sicca Rupees), such suits being appealable to the King in Council; such transfer and trial to be conducted according to the provisions relating to the transfer of suits above 5000 Rs. to the P. C. *(See Ch. 12, s. 3, 3, 4.)* ..	25. 14.	5	1	—	—	—	—	—	—	
Sec. 3. Cognizance of Regular Appeals.	1. The S. D. A. may receive, try, and decide (regular) appeals from all decisions on original suits passed by any P. C.			2			—			—	
	2. The S. D. A. to admit appeals from decisions of P. C. on original suits above 1000 Rs. transferred to those courts from Z. or C. C. by order of the S. D. A. *(see Ch. 12, s. 3, 4.)*		5	2		—	—		—	—	
	3. Appeals to lie to the S. D. A. from decrees of forfeiture by P. C. on charges of resistance to any process of such courts; provided the annual produce of the land forfeited for such offence, or the fine imposed, shall exceed 5000 Sa. Rs. *(see Ch. 12, s. 4, cl. 2, 1. and note.)*		3	1		—	—		—	—	
	4. The S. D. A. may admit appeals from decisions of P. C. on charges of corruption or extortion against native officers, and tried by such courts in the first instance*.	5. 98.	2		—	—		4. 03.	23	1	
		5. 93.	23		9. 95.	7					
		13. 93.	9	8	12. 95.	2		12. 03.	12	3	
	5. As also from such decisions upon similar charges against law officers*. ..	12. 93.	8	2	11. 95.	2		11. 03.	8	2	
	6. Regular appeals to lie to the S. D. A. from decisions which, in original suits before any P. C., may reverse or alter the orders of revenue authorities resuming lands; (but not from decisions confirming such orders, *see Ch. 1, s. 6. cl. 1. 3.*) ..	14. 25.	6		—	—		—	—		
	7. Petitions of appeal from awards of arbitration confirmed by the decree of a P. C. to be rejected with costs, unless corruption or partiality be proved on the oaths of two credible wsses.	6. 93.	32		10. 95.	2		5. 03.	22		
	8. An appeal to lie to the S. D. A. from all decisions of P. C. on original suits for the recovery of penalties incurred by illegal loans to covenanted servants (*See ch. 4, s. 17, cl. 2.*)	7. 23.	8		—	—		—	—		
	9. The S. D. A. empowered to receive appeal from the decisions in civil suits passed by the Board of Commissioners for the C. and C. P. ..								9		
	10 The S. D. A. empowered to fine all persons presenting litigious appeals. ..	13. 96.	3		—	—			12		
	11. Appeals from the decisions of the court of wards (under Reg. X. 1793, 32,) to lie to the S. D. A. if preferred to the court of wards, or to the Z. or C. C. or to the S. D. A. within three months after the date of such decision. ..	10. 93.	32	2	7. 22.	2		52. 03.	36	2	
	12. Appeals to lie to the S. D. A. from the decisions of the Superintendant of tributary *mahals* in Cuttack†.	11. 16.	11								† See *ch.* 11, *s.* 1, *cl.* 2.
	13. Appeals to the S. D. A. from decisions of the Commissioner of Cuttack only to be admitted in suits, from their amount, appealable to the King in Council. .. (*See ch. 12, s. 2, cl. 6, 1.*)	5. 18.	5	5							
Sec. 4. Institution of Regular Appeals. Cl. 1. *Presentation Petition.*	1. Any persons deeming themselves aggrieved by a decision of any P. C. may present a petition of appeal in the first instance to the P. C.	12. 97.	3		—	—		5. 03.	10	1,2	
	2. The S. D. A. may receive such petition direct whenever it may appear expedient.	5. 05.	12		—	—		—	—		
	3. Such petition if presented in the P. C. need not be accompanied by an authenticated copy of the original decree.	26. 4.	8	6	—	—	—	—	—	—	
	4. Such petition if presented in the S. D. A. must be accompanied by such copy of the original decree.			7			—			—	
Cl. 2. *Form of Petition.*	1. Petition of appeal to the S. D. A. to state the annual produce of the land decreed, or if money or other property, its amount or value; the name of the parties having obtained such decree; the court by which it was passed, with the date of decision; and whether the decree has been executed;—as also the motives of appealing. (*See. s. 5. cl. 1.*)	6. 93.	10		10. 95.	2		5. 03.	10	3	
	See *Ch. 12. s. 9, cl. 1. 2. 3. 4.*—those rules being applicable to appeals before the S. D. A. by the same enactments.										
Cl. 3. *Limitation of Appeals.*	Petition of appeal to the S. D. A. to be presented (in either court) within three months after the date of the decision appealed, unless satisfactory reasons be given for further delay.		10			..			5		
	See *Ch. 12, s. 9, cl. 3, 2,*—that rule being applicable to such appeal by the same regulation.										

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		Bengal &c.			Benares.			C. C. Provs.		
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S	C.
Sec. 4. Cl. 4. *After rejection by the P. C.*	If the petition of appeal has been rejected in the P. C. and be afterwards presented in the S. D. A. it must set forth such application and rejection, and be accompanied by an authenticated copy of the order of rejection, (*See Ch.* 12, *s.* 6, *cl.* 3,) or a declaration that the copy was applied for within ten days after the order was passed, and not obtained.	12. 97.	3		—	—				11
Sec. 5. General rules of Trial by the S. D. A. Cl. 1. *Security in cases of Appeal.*	1. The petition of appeal (in whichever court presented), to be accompanied by sufficient security for the eventual costs of suit; the presentation of petitions of appeal, without such security, not to prevent the period of limitation from being strictly attended to.	12.97.	3		—	—				
	2. In causes of appeal, pending before the S. D. A. that court may at any time, on application from parties or otherwise, require further security (*See Ch.* 2, *s.* 4, *cl.* 2,) as a preservation against eventual loss, if such appear necessary from delay or other cause; on failure to file such further security by a time fixed in a public notice, the original decree may be carried into execution, should all requisitions be conformed to by the other party. Such supplemental security only to be required by the S. D. A. in appeals tried by that court. ..	6.93.	10		10.95.	2		5.03.	10	7
		12. 97.	3		—	—				9
	For rules regarding the execution of the original decree, and the prescribed securities for staying such execution (*See Ch.* 2, *s.* 4, *cl.* 2,) those rules being generally applicable.									
Cl. 2. *Witnesses and Evidence.*	1. In cases of appeal from the P. C. the S. D. A. may require further evidence, and either refer the suit back, with directions to take the depositions required, the reasons for such proceeding being always recorded; or take the evidence in its own court. Wsses. so summoned may either be examined in open court, or (under orders) by the register before their parties or their *vakeels*. If after due notice, such parties or their *vakeels* fail to attend, the depositions may be taken by the register without further delay.	6. 93.	16		10. 95.	2		5. 03.	16	
	2. The S. D. A. may at any time transmit written interrogatories to Z. or C. C. with a precept, desiring that the depositions required may be taken. ..	26. 14.	11		—	—		—	—	
	3. Or dispensing with such written interrogatories may issue particular directions to the Z. or C. J. to take the depositions required in open court, and if possible in the presence of themselves or of their registers; the parties or their *vakeels* being in attendance.	19. 17.	11		—	—		—	—	
	4. Witnesses not attending, refusing to give evidence, committing contempt of court, or guilty of wilful perjury before the S. D. A. to be dealt with as prescribed in such cases for the P. C. A. (*See Ch.* 12, *s.* 5, *cl.* 3, 1.) ..	6. 93.	18			..			18	
Cl. 3. *Right to plead.*	In the trial of any suits before the S. D. A. no persons to be heard *vivâ voce*, or to take any steps in the conduct of such suits, except the parties, their regularly authorized *vakeels*, or the wsses.		20			..			20	
Cl. 4. *Process.*	1. All processes and orders of the S. D. A. to be written in the Persian and Bengalee language for Bengal; the Persian and Nagree character and languages for Behar and Benares, or in such languages as the court may direct(*i*): to be sealed with the court seal, and signed by the register. Every process against persons not attendant on the court, to be directed to the P. C. of the particular division; the Judges of such courts liable to suspension by the S. D. A. for any disobedience or false returns to such orders. The order for such suspension to be reported to the Gov. Gen. in C. with all the papers of the case within 10 days after passing the same; the court to supply all further information that the Gov. Gen. in C. may require, The S. D. A. may direct any process to be executed through Z. or C. C. under similar rules. ..	6. 93.	13		10. 95.	4		5. 03.	13	
	2. On the lower court making return (to a first process), that the party cannot be found, and that the process cannot be served on him, the S. D A to proceed in the case (whether original or appealed) *ex parte*. (*See Ch.* 12, *s.* 13, *cl.* 4.) ..		15			2			15	
Cl. 5. *Resistance to Process of the S. D. A.*	1. On the resistance to any process of the S. D. A. being reported, that court will summon the party as in other cases, and if he do not appear, or upon proof of the charge when he may appear, all the landed property of such offender (if a landholder) to be decreed forfeited to Government: copy of such decree to be forwarded to the Gov. Gen. in C. without delay; the Gov. Gen. in C. will either confirm such sentence, or commute it to such equitable fine, as he may think proper, to be levied as a decree; if confirmed, the S. D. A. will order the collector of the district to sequester the lands by an *ameen*, or his nearest *teh-*									

(*i*) Such is the wording of the regulation for the C. C. P.

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		Reg.	*S.*	*C.*	*Reg.*	*S.*	*C.*	*Reg.*	*S.*	*C.*
Sec. 5. Cl. 5.	*muldar*; the precept conveying such order to be signed and sealed by the register.	6. 93.	24		10. 95.	5 6		5. 03.	24	
	2. In case of forfeiture the Gov. Gen. in C. may bestow lands forfeited on the heirs of the former proprietors, or if a dependant *talook* on the principal proprietor; or may dispose of them by sale.	—	25		—			—	25	
	3. If such offender be a farmer, holding a farm of Government, his lease to be cancelled from the end of the current year. The Gov. Gen. in C. may commute this sentence to a fine, and compel such farmer to continue in his farm, though he may be unwilling to do so. Such farmer, if his lease be cancelled, answerable for all arrears at the end of the year, and may prosecute for the rents due to him Similar forms to be adopted by the court in such trials and decrees.		26			8			26	
	4. Such offender, if neither a landed proprietor, nor a farmer of Government, liable to a fine at the discretion of the court, to be levied as the amount of a decree. ..		27			2			27	
Cl. 6. *Proceedings, Copies and Translations.*	1. The proceedings, pleadings, and every paper or document in a suit, whether original or appealed, before the S. D. A. to be signed by the Register; decrees to be signed by the Judge or Judges passing them; copies of decrees and orders attested by the Register, to be given to the parties.	.. 25.14.	28 8 16		..	2		..	28	
	2. The S. D. A. not required to keep its proceedings in English, further than may be convenient; nor will copies of such proceedings be required, except in cases of appeal to the King in Council, or in case of reference to the Gov. Gen. in C. .	2. 01.	16		—	—		5. 03.	2	
	3. Translations of its own proceedings, when required by the court, to be made by the Register or Assistants; if their avocations prevent those officers from doing this duty, the court may empower some other competent person to make such translations. .. .. *(See further s. 6. 5.)*		17			..			..	
Cl 7. *General Rules.*	1. No Judge of the S. D. A. to sit on trial of an appeal from a judgment, or order passed by himself originally.	13. 10.	6	2	—	—	—	—	—	—
	2. The S. D A. generally to regulate the mode of their own proceedings, as well as the execution of their own process, subject to the regulations. ..	2. 01.	6		—	—		—	—	
	3. In the trial, both of original suits and of appeals, the S. D. A. to be guided generally, where particular provisions do not occur, by the rules in force for Z. and C. C. *(See ch. 2.)*	6. 93.	7		10. 95.	2		—	7	
	4. In cases where no specific rules exist, the Judges of the S. D. A. to act according to justice, equity, and good conscience.		31						30	
	In suits of appeal before the S D. A. for rules regarding pleadings, *See Ch. 12, s. 9, cl. 7.* those rules being applicable by the same regulations. .. *See also ch. 12, s. 9, cl. 6.*									
Cl. 8. *Default.*	Appellants not proceeding in their suits before the S. D. A. for six weeks, or failing to give satisfactory reasons for such default, their suits to be dismissed, and costs may be awarded to respondent.	—	19		—	2		—	19	
Cl. 9. *Decisions.*	1. The S. D. A. empowered to confirm, reverse, or alter any decree appealed to that court, in such way as justice and equity may require; also to award costs as may appear equitable between the parties.		9			..			2	
	2. On confirming decrees in appeal, the S. D. A. empowered to award interest to respondent on all sums of money adjudged to him from the date of the decree; as also to fine all persons presenting litigious appeals.	13. 96.	3		—	—		—	12	
Cl. 10. *Execution of Decrees.*	The S. D. A. empowered to direct that any of its decrees for sums of money against proprietors of land shall be executed by the proper P. C. on the rules prescribed for its own decrees. .. .. *See cl. 7. 2 and 3.*	6. 93.	21		10. 95.	2		5. 03.	21	
Cl. 11. *Correspondence with parties.*	Judges of the S. D. A. prohibited from corresponding with parties in suits or any matters pending befort the court; persons presenting representations in person or by *vakeels*, to receive a copy of the order passed thereon, under seal of the court and signature of the register, ...		6			..			6	
Sec. 6 Appeals to the King in Council.	1. Decisions of the S. D. A. on suits, whether original or appealed, for an amount or value above £ 5,000 or 43,103 Sa. Rs. are open to appeals before the King in Council. *(See ch. 11. s. 1. cl. 2, 9.)*	16. 97	3		—	—		5. 03	2	

N. B. The enactment that

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		Bengal, &c.			Benares.			C. C. Provs.		
		Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.
Sec. 6.	2. Petitions for such appeals to be presented to the S. D. A. within six months after date of decision.	16. 97.	2		—	—		—	..	
	3. Such period to be calculated from the date of the decision, deducting the delay incurred from the date of furnishing the stamp paper to that of tendering the authenticated copy to the party.	2. 05.	8		—	—		—	—	
	4. The original decree of the court to be executed or not at the discretion of the court; the party obtaining, or being retained in possession, giving sufficient security to perform the final judgment, appellant always to give security for the payment of costs; the appeal being then admitted, notice to be issued for the parties to proceed in the same according to the general rules. (*See ch.* 12, *s.* 6, *cl.* 3.)	16. 97.	4		—	—		5. 03.	2	
	5. In cases of such appeal, two copies of the translated proceedings, under the seal of the court and signature of the register, to be sent to the Gov. Gen. in C. parties always to have copies of proceedings on paying the expenses of preparing such. (For the stamp paper for such copies) (*See Appendix to ch.* 2, *s.* 2.) ..		5			—			—	
	6. Copy of any regulation under which the judgment appealed was passed, to accompany the proceedings.		6							
Sec. 7. Cognizance of special appeals. Cl. 1. *Admission of.*	1. The S. D. A. may receive special appeals from any decision of a P. C. A. in suits of appeal tried and determined by such court.	25. 14.	5	3	—	—	—	—	—	—
	2. The S. D. A. may admit special appeals from decisions by P. C. A. in suits between 5,000 and 10,000 Rs. originally decided in Z. or C. C. and appealed to P. C.	19. 17.	6	2	—	—	—	—	—	—
	3. The S. D. A. may receive special appeals from decisions of P. C. A. which in original suits may confirm the resumptions of *lakhiraj* lands, by revenue authorities. (*See s.* 3, 6.)	2. 19.	26	1	—	—	—	—	—	—
	4. The S. D. A. may admit special appeals *in formâ pauperis*. ..	2. 25.	5		—	—		—	—	
	5. The S. D. A. may receive special appeals from decisions of any P. C. A. on appeals from decrees of forfeiture, or fine passed by any Z. or C. C. against persons resisting the process of such courts,—provided the annual produce of the lands forfeited, or the amount of fine, exceeds 1,000 Rs. ..	4. 93.	22 23 24		8. 95.	2		3. 03.	23 21 25	
	6. As also from the decisions of P. C. A. in appeals from similar decrees of forfeiture by Z or C. C. on charges of resistance to the process of collectors; whenever the annual produce of the land or the amount of fine exceeds 5,000 sicca rupees.	5. 98 7. 99.	7 24		—	—		27. 03.	23	
	7. The S. D. A. may receive special appeals (if presented as prescribed in other cases) from the decisions of P. C. A. on appeals from summary judgments of Z. or C. C. against native officers for embezzlement or withholding public accounts. ..	18. 17.	7	7	—	—	—	—	—	—
	8. The S. D. A. may admit second appeals from the orders of P. C. A. passed on appeals from summary decisions of Z. and C. C. on complaints against forcible dispossession from lands; the first appeals having been instituted on the plea of irrelevancy of the process prescribed by the regulation to the particular case...	5. 98.	7		—	—				
	9. The S. D. A. may admit second appeals from the decisions of P. C. A. on summary appeals against the orders of Z. or C. C. with regard to discovered treasure.	5. 17.	10		—	—		—	—	
	10. Z. or C. Judges having power to recommend P. C. A. to receive special appeals in important cases, when no further appeals may be open to the parties, if the P. C. A. reject such special appeal the S. D. A. may direct the P. C. A. to receive the same.	9. 19.	3	3	—	—	—	—	—	—
	11. Orders passed by any P. C. A. in appeal and revision of orders by any Z. or C. C. with regard to the release of insolvent debtors, (*See, ch.* 2, *s.* 3, *cl.* 7,) open to the final decision of the S. D. A.	2. 06.	11		—	—		—	—	
	12. From the orders of any P. C. A. passed in appeal from the orders of any Z. or C. C. settling the accounts of confined defaulters, the revenue authorities at liberty to institute further appeals in the S. D. A.	14. 93.	31		6. 95.	26		27. 03.	33	
	13. The S. D. A. may admit special appeals from the decision of the commissioner for the N. E. frontier of Rungpore, whenever there may be reason to suspect a failure of justice.	10. 22.	6							
Cl. 2. *Trial of.*	1. In receiving and trying special appeals the S. D. A. to be guided by the rules prescribed for P. C. A. (*See ch.* 12, *s.* 11.)	25. 14.	5	4	—	—	—	—	—	
Sec. 8. Cognizance of summary and other appeals. Cl. 1. *From the rejection or dismissal of Suits.*	2. Previous to admitting special appeals, the S. D. A. may call for any papers or proceedings, besides the documents presented with the petition of appeal. ..	9. 19.	4		—	—		—	—	
	1. The S. D. A. competent to receive a summary appeal from the orders of any P. C. A. when the latter may have refused to admit any original suit or appeal, or after admission, may have dismissed the same on default or informality, without investigating the merits. (*See cl.* 3.)	26. 14.	3	2	—	—	—	—	—	—

extends the jurisdiction of the S. D. A. over the C.C.P.is the only provision applicable to these appeals.

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Sec 8. Cl. 1. For rules of admission and trial, (*See ch. 12, s. 12, cl. 2,*) those provisions being generally applicable.									
Cl. 2. *From Judgments against native Officers for Embezzlements.* The S. D. A. may receive summary appeals from the summary judgments of any* P. C. against the native officers of such courts for embezzlement, or withholding public accounts.	18. 17.	7	6	—	—	—	—	—	—
Cl. 3. *From the rejection of Suits or Appeals by Lower Courts.* 1. The S. D. A. upon proof being advanced that some original civil suit has been rejected in a Z. or C. C. and that the P. C. A. omitted ordering it to be received, may desire the Z. or C. C. to admit and try the suit by precept, under seal of the court, and attested by the register.	6. 93.	1	1	10. 95.	2	..	5. 03.	4	1
2. The S. D. A. on proof being advanced, that a P. C. A. rejected an application of appeal from some decision of a Z. or C. C. may desire the same to be admitted and tried by precept, under seal of the court and attested by the register. ..		5	1		..	..		5	1
Cl. 4. *Regarding disqualified Landholders.* 1. Petitions against the report of collectors pronouncing any landed proprietor to be a minor, being received from a Z. or C. C. (*See ch. 5, s. 13.*) the S. D. A. to issue a precept to the Z. or C. C. or to the P. C. to call the person before the court in order to ascertain his age by the testimony of three witss. and other means attainable; such proceedings being reported, the S. D. A. to decide whether or not he be a minor, and to forward such decision to the Gov. Gen. in C. for orders as to managing the estate in the court of wards or otherwise. ..	10. 93.	5	2	7, 22.	2	..	52 03.	9	2
2. Similar rules to be observed on receiving a representation through the same channel on the part of the collector (see as above), stating that any landed proprietor is unqualified by lunacy or otherwise to manage his own estate. ..	—	5	3	—	2	..	—	9	3
3. The same rules to be observed on receiving petitions from such landholders deeming their disqualification removed, forwarded through Z. or C. C. (*see the rules contained in rule* 1.)			6		..				6
4. Z. or C. Judges, reporting to the S. D. A. that the defect by which landholders have been disqualified is removed, the court to decide on the circumstances reported as to the qualification of the person, and to forward its decisions to the Gov. Gen. in C. for orders regarding the estate. ..			5		..				5
Cl. 5. *From the Appointment of Guardians.* Persons having the right to petition the S. D. A. against appointments of guardians by Z. or C. Judges, (*See ch. 5, s. 13, cl. 2.*) that court, on receiving copies of all the proceedings of the Judge, to confirm or rescind his decision as may appear correct.	1.00.	7		—	—		8.05.	29	14
Sec. 9. Corruption of native officers. Cl. 1. *Officers of Lower Courts* 1. The S. D. A. may receive (on oath) charges of corruption, or extortion, not relating to matters pending or decided in its own court, against ministerial officers of a P. C. and on proof that the charge was rejected in the lower court, may refer the charge for trial in the P. C. by precept;—such charges made on oath may be so referred for trial without enquiry, when they relate to matters pending or decided in the S. D. A.	13. 93.	9	2	12. 95.	2		12. 03.	12	2
2. The S. D. A. may receive similar charges against officers of Z. or C. C. and refer them for trial to those courts, on proof that the charges were rejected both by the Z. or C. C. or by the P. C. A; or if such charge, relating to some matter pending or decided by a P. C. was rejected by the latter, the S. D. A. may refer the same for trial, either before the P. C. or by the Z. or C. C. If such charge preferred, relate to matters pending in or decided by the S. D. A. it may be referred to the Z. or C. C. to which the officers accused may be attached, without delay or enquiry.			3		..				3
3. Whenever the S. D A. may see objections to refering such charges against officers of either a P. C. or Z. or C. C. for trial to the particular court, it is competent to try them in its own court, or refer them, if against the officers of a Z. or C. C. to the P. C. of the division.			5		..				5
4. On receiving from any P. C. A. a report that, with regard to such charges against some officer of a Z. or C. C. preferred in the former court, it would be inexpedient to refer the same for trial to the latter court, the S. D. A. may authorize the P. C. A. to try the charges; or if it appear proper, may still refer them to the Z. or C. C. (*see ch. 6, s. 5, cl. 1.*)			6		..				6
5. The above rules applicable to charges against native law officers. (*see ch. 6, s. 5, cl. 2.*)	12. 93.	8	1	11. 95.	2	—	11.03.	8	1

* See note to Ch. 12. S. 12. Cl. 3.

Ch. 13. Sudder Dewanny Adawlut.	Bengal, &c.			Benares.			C.C. Provs.		
	Reg.	S.	C.	Reg.	S.	C.	Reg.	S.	C.
Cl. 2. *Native Officers of the S. D. A.* 1. Charges of corruption or extortion being civil actions, the S. D. A. or S. N. A. receiving such charges against their own native officers are to direct them to be conducted as such in the S. D. A.	13. 93.	7		12. 95.	2		12. 03.	7	
2. This rule applicable to law officers. .. .. (For forwarding copies of decrees against law officers to Government, &c. *see ch. 6, s. 5, cl. 2, 5, 6.*)	12. 93.	8	1	11. 95.	2	—	11. 03.	8	1
Cl. 3. *Summary enquiries into embezzlement, &c.* 1. The S. D. A. may institute summary enquiries into the conduct of their native officers, on charges or suspicion of embezzlement of public money. ..	18. 17.	7	2	—	—	—	—	—	—
2. Or of withholding public accounts required of them. .. (*See ch. 5, s. 11.*)			4			—			—
Sec. 10. Miscellaneous Petitions. 1. The S. D. A. competent to command any Z. or C. Judge to receive and proceed upon any petition presented to its own court, and relating to matters pending in or decided by the Z. or C. C. on proof that such petition was presented to and rejected by that court.	2. 98.	7		—	—		5. 03.	2	
2. The S. D. A. empowered on proof, that petitions relating to appeals and other matters pending or decided in any P. C. was rejected by such court, to order the same to be received and proceeded upon. ..		8			—			..	
Sec. 11. Authority of S. D. A. over Judicial Officers. Cl. 1. *Power to suspend.* 1. The S. D. A. empowered to suspend from office any judge of P. C. or Z. or C. C. who may disobey, neglect, or make false return to any precept of the court; notice of such order of suspension, with all the papers and proceedings, to be forwarded within 10 days to the Gov. Gen. in C. ..	6. 93.	13		10. 95.	6		—	13	
2. The S. D. A. also empowered to suspend any Z. or C. Judge who may disobey, neglect, or make a false return to any precept of a P. C. under similar rules..	5. 93.	15		9. 95.	2		4. 03.	15	
Cl. 2. *Reports to Gov. and Admonition.* 1. The S. D. A. having received any report of official misconduct or negligence in any judge, register, or ministerial officer of lower courts, and made such enquiry as the circumstances may require, to report the same to the Gov. Gen. in C. when the case may merit such notice. All misconduct of a covenanted judicial, or ministerial officer, whether known from official report, or from papers before the court, to be reported to the Gov. Gen. in C. But if the fault be an error of judgment, or deserving of no further correction, the S. D. A. may admonish the officer accordingly. .. .. .. (*See also ch. 11, s. 4.*)	2. 01.	7		—	—		5. 03.	2	
Sec. 12. Extra powers of Registers and Sudder Aumeens. 1. The S. D. A. to report to Government with the proper statements, whenever, from the accumulation of civil suits in any Z. or C. C. it may appear expedient to invest the register with special powers to try suits above 500 Rs. in amount or value, as well as appeals from *moonsiffs* and *sudder aumeens*. ..	24. 14.	9	2	—	—	—	—	—	—
2. The S. D. A. competent to invest *sudder aumeens* with power to try and decide civil suits not exceeding 500 Rs. in amount.	2. 21.	5	1	—	—	—	—	—	—
3. The S. D. A. may recommend to Government, whenever it may appear expedient, to invest Z. or C. registers with power to try and determine appeals from the decisions of other registers. (*See Ch. 8, s. 1, cl. 4, 6, 7.*)	9. 19.	8	1	—	—	—	—	—	—
4. The S. D. A. competent to invest *sudder aumeens* with power to try cases in amount not exceeding 1,000 Rs. when the state of business may render it expedient.	4. 27.	2	1	—	—	—	—	—	—
Sec. 13. Removal of Suits from Z. or C. C. 1. Whenever there may appear a pressure of business in any Z. or C. C. the S. D. A. is competent to order the transfer of any suit exceeding 1,000 Rs. in amount for trial to the P. C.	25. 14.	3	1	—	—	—	—	—	—
2. Any P. C. forwarding to the S. D. A. petitions from parties desiring to have suits between 5,000 and 10,000 Rs. in amount transferred for trial to the P. C. though already instituted in some Z. or C. C. the S. D. A. to pass orders thereon.	19. 17.	3	2	—	—	—	—	—	—
Sec. 14. Authority to review Judgments. 1. The S. D. A. on application from inferior courts for permission to review their own decisions (in cases not appealed to the King in Council), or on petitions from parties requesting that judgments may be authorized to be revised, competent whenever sufficient reason may appear *(see ch. 1, c. 8.)* to grant the permission desired; the reasons for such order always to be recorded: instructions regarding new evidence to accompany such order.	25. 14. 26. 14.	5 4	5 3	— —	— —	— —	— —	— —	— —

Ch. 13. Sudder Dewanny Adawlut.	*Bengal &c.*			*Benares.*			*C. C. Provs.*		
	Reg.	*S.*	*C.*	*Reg.*	*S.*	*C.*	*Reg.*	*S.*	*C.*
SEC. 15. AUTHORITY TO ADJOURN LOWER COURTS. 1. The S. D. A. empowered to authorize the adjournment of any P. C. or Z. or C. C. for a period not exceeding one month together, so that such periods do not collectively exceed two months in the year.	6. 93.	23		10. 95.	2		5. 03.	23	
2. During the Mohurrum and Dussara festivals the S. D. A. may or may not adjourn its own court.	3. 98.	3		—	—		—	2	
3. During the same festivals, the S. D. A. may dispense with the usual vacations in lower courts, upon the collection of business or for other cause. ..	1. 06.	10		—	—		—	—	
SEC. 16. TRANSLATIONS FROM LOWER COURTS. On reports from lower courts that registers and assistants are unable to prepare translations required by the S. D. A. on account of other duties, the S. D. A. may authorize the employment of other persons for the purpose. ..	19. 97.	4		—	—		—	—	
SEC. 17. EXPLANATION OF REGULATIONS. 1. Whenever a Z. or C. Judge may have hesitated to comply with some precept of a P. C. A. as contrary to the regulations, *(see, ch. 1, s. 11, c. 3.)* and a reference is consequently made to the S. D. A. that court finally to interpret and explain the particular enactments.	10. 96.	3		—	—		22. 03.	3	
2. Should the meaning of any enactment appear doubtful to the S. D. A. that court may report the circumstance to Government, that a new enactment may be passed, or may propose a new regulation for the purpose. ..		4			—			4	

INDEX,

CONTAINING

ALPHABETICAL REFERENCES

BOTH TO

The Analysis and the Regulations.

INDEX,

CONTAINING

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			Analysis.				Authority.		
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							12. 1803.	12	3
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„ from the *sudder* commission to the King in Council,	.	.	.	2	..	..	2
„ from collectors in suits under Reg. VII. 1822, to Board of Revenue,	11	10	5	1	7. 1822.	29	1
„ from collectors to courts in similar suits,	1	7	4	3	..	29	6
						28	2
„ from collectors in suits under Reg. II. 1819, to be tried as original suits,	11	9	2	2	2. 1819.	38	8
„ such cases of, to be delayed for the decision of the Board of Revenue,	.	.	.	3	..	..	9
„ from single judges of P. C. to S. D. A.	12	2	6	1	13. 1810.	3	
„ from P. C. rules for admission by P. C.	12	6	3	1	6. 1793.	10	
					5. 1803.	10	8
„ to P. C. A. from any matters pending in Z. or C. C.	12	12	2	9	2. 1798.	6	
„ from registers may be tried by P. C. A. on absence of Z. or C. Judges,	12	13	1	1	2. 1805.	14	3
„ from Court of Wards to the S. D. A.	13	3	0	11	10. 1793.	32	2
					52. 1803.	36	2
„ from S. D. A. to the King in Council,	13	6	0	1	16. 1797.	3	
„ from orders on the petitions of confined defaulters,	5	7	0	9	14. 1793.	29	
	12	12	3	6	6. 1795.	25	
					27. 1803.	32	
„ from orders of Z. or C. Judges appointing guardians,	5	13	2	7	1. 1800.	7	
„ by paupers, rules for,	12	8	5	1	8. 1805.	29	10
„ „ to be rejected unless original judgment was erroneous,	3	3	2	1	28. 1814.	12	1
„ „ may always be admitted on payment of costs,	.	.	.	3	..	..	3
„ „ may be admitted for further investigation,	.	.	.	4	..	..	4
„ „ to the King in Council, rules for,	.	.	.	5	..	13	
	.	.	.	10	..	18	
„ from orders concerning insolvent debtors,	2	3	7	—	2. 1806.	11	
	12	12	3	8			
„ trial of, by additional registers,	8	2	1	7	2. 1821.	11	2
„ trial of by *sudder ameens*,	9	4	2	3	23. 1814.	75	3
„ cognizable according to amount of decrees,	12	9	1	1	5. 1793.	12	
					4. 1803.	12	2

	Analysis.				Authority.		
	Chap	Sec	Cl	Rule	Reg.	Sec.	Cl.
APPEALS, motives of, may be set forth separately from petition, ...	12	9	1	3	26. 1814.	8	5
" to S. D. A. liable to a fine if litigious, ...	13	3	0	10	13. 1796. / 5. 1803.	3 / 12	
" for execution of decrees in.—*See Decrees.*							
" from *sudder ameens* in suits above 1000 Rs. not referable to register, ...	1	9	2	3	4. 1827.	2	5
" See further *Fees, Decrees, Limitation, Petition, Costs, Security.*							
" in revenue cases not to C. C. while special commissioners sit, ...	11	15	2	1	3. 1828.	2	4
" from revenue authorities to special commission retrospectively, ...	.	.	.	2	..	..	5
" to special commission from collectors of revenue, rules, ...	11	15	5	2	..	4	2
" to the King in Council from the commission, ...	.	.	6	1	..	..	5
" to superintendent of Benares *Raj Muhals*, ...	11	16	0	8	7. 1828.	24	
APPELLANTS, may retain possession of lands decreed, rules, ...	2	4	2	2	13. 1808.	11	3
" from superintendent of Cuttack, may be exempted from securities for costs, ...	11	1	2	2	11. 1816.	12	
" from do. may conduct their own suits in appeal, ...	.	.	.	6	..	15	
APPRAISEMENT of distrained property, rules, ...	10	6	8	8	5. 1812.	18	
ARBITRATION, reference of regular suits on amounts above 200 Rs. to, ...	2	5	1	1	16. 1793. / 21. 1803.	2 / 2	
" do. do. in disputes for lands, ...	.	.	.	3	6. 1813.	2	1
" reference of disputes for possession of lands to, ...	5	4	0	9	..	5	2
" bond of, and forms, ...	2	5	1	6	16. 1793. / 21. 1803.	5 / 5	
" period for, may be extended by courts, ...	.	.	.	8	16. 1793. / 21. 1803.	7 / 7	
" may be adopted by the special commission, ...	11	5	1	15	4. 1826.	3	
" reference to by collectors, ...	11	10	6 / 7	1 / 3	7. 1822.	33 / 34	1 / 3
" award of, to be forwarded to the court, rules, ...	2	5	1	9	16. 1793. / 21. 1803.	8 / 8	
" " only to be set aside for corruption, ...	.	.	.	10	16. 1793. / 21. 1803. / 7. 1822.	9 / 9 / 33	1
" " may be reversed when open to impeachment, ...	2	5	2	4	6. 1813.	4	
" private, parties may resort to, ...	.	.	.	1	..	3	1
" " awards of, rules for enforcement, ...	.	.	.	2,3	..	3 / 5	3 / 2
ARBITRATORS, parties not agreeing about, rule, ...	2	5	1	4	16. 1793. / 21. 1803.	3 / 3	
" *vakeels* may act as, ...	7	3	0	4	27. 1814.	14	
" *kanoongoes* and *tehsildars* may be appointed by collectors, ...	11	10	6	3	7. 1822.	33	3
" one sufficient in disputes for less than 200 Rs.	2	5	1	1	16. 1793. / 21. 1803.	2 / 2	
" not to be forced to sit, or to receive fees, ...	.	.	.	5	16. 1793. / 21. 1803.	4 / 4	
" award of majority final, ...	.	.	.	6	16. 1793. / 21. 1803.	5 / 5	
" conduct of trials by, ...	.	.	.	7	16. 1793. / 21. 1803.	6 / 6	
ARREARS, recovery of, by landholders. *(See Distraint and Summary Suits,)*	5	1	—	—	See Anal.		
" recovery of, by Government. *(See Summary Process.)*	5	7	—	—	See Anal.		
" due at time of auction sales, rule for recovering, ...	4	6	4	1	11. 1822.	23	
" indigo factors jointly responsible for, ...	5	5	0	10	6. 1821.	4	2
" in *putnee talooks*, recovery of, ...	4	9	3	1	8. 1819.	3	3
" suits for, not above 150 Rs. cognizable by *moonsiffs*, ...	10	2	1	1	2. 1821.	4	
" penalty for levying when not due, ...	10	6	3	2	17. 1793. / 47. 1795. / 28. 1803.	6 / 6 / 6	
" may be levied for the year by farmers forfeiting leases, ...	12	4	2	6	5. 1793. / 4. 1803.	25 / 25	
" being tendered before two witnesses to prevent attachment, ...	10	6	5	4	17. 1793. / 45. 1795. / 28. 1803.	18 / 16 / 16	
" property attachable for, ...	10	6	7	1	17. 1793. / 45. 1795. / 28. 1803.	2 / 2 / 2	1
" property not attachable for, ...	.	.	.	3	See Anal		
" to be forfeited by any breach of rules of sale, ...	10	6	9	1	17. 1793. / 45. 1795. / 28. 1803.	22 / 20 / 20	

	Analysis. Chap.	Sec.	Cl.	Rule	Authority. Reg.	Sec.	Cl.
ARREARS, to be forfeited by distrainers purchasing at sales, ...	10	6	9	4	17. 1793.	24	
					15. 1795.	22	
					28. 1803.	22	
ARREST, process of, for arrears of rent, ...	5	1	1	1	7. 1799.	15	1
					5. 1800.	14	1
					28. 1803.	32	1
„ to be stayed on certain conditions, ...	.	.	.	2	7. 1799.	15	2
					6. 1800.	14	2
					28. 1803.	15	2
					..	..	3
„ to be withdrawn at the consent of the pff.	.	.	.	4	..	..	3
					..	..	3
„ only to issue for arrears of the current year, ...	.	.	.	7	2. 1805.	4	1
„ process of, against agents of landholders, ...	5	2	0	2	7. 1799.	20	
					5. 1800	19	
					28. 1803.	37	
„ process of, against Government defaulters, ...	5	7	0	1	14. 1793.	5	
					6. 1795.	11	
					27. 1803.	11	
„ do. do. when to be withdrawn, ...	.	.	.	7	6. 1795.	16	
					27. 1803.	16	
ASSAY MASTERS, amenable to civil court, for official acts, ...	1	3	4	1	3. 1793.	10	
					2. 1803.	7	
ASSIGNMENTS of land when liable to annulment by special commission, ...	11	5	1	8	1. 1821.	3	4
ASSISTANTS to collectors, amenable as collectors when officiating, ...	1	3	5	11	4. 1821.	8	5
„ may be employed by registers in taking depositions, ...	8	1	7	2	24. 1814.	11	2
„ may be deputed on local investigations, ...	.	.	.	4	11. 1824.	2	
„ misconduct of, to be reported to S. D. A.	8	2	5	2	13. 1793.	13	
					12. 1803.	13	
„ of Cuttack may be employed in revenue matters, ...	11	2	0	7	5. 1818.	8	
ATTACHMENT, of property on failure of giving security in suits, rules, ...	2	2	4	1	2. 1806.	5	1
„ forms of, in such cases, ...	.	.	.	2	..	..	2
„ orders to be given concerning, on decision of suit, ...	.	.	.	3	..	..	3
„ process of, may issue with proclamation of sale, ...	2	3	6	4	7. 1825.	3	3
„ of *putnee* tenures for arrears, ...	5	1	3	4	8. 1819.	18	2
	10	6	8	3			
„ of distrained property when to be withdrawn, ...	5	3	0	1	5. 1812.	15, 16	
„ of property for arrears,—rules of, ...	10	6	5	5	17. 1793.	17	
					45. 1795.	15	
					28. 1803.	15	
„ not to take place on arrears being tendered, ...	.	.	.	4	..	7	
					..	7	
					..	7	
„ of lands, when possession cannot be ascertained, ...	5	4	0	8	6. 1813.	5	3
„ of *putnee talooks* for fees and security on transfers, ...	4	9	2	5	8. 1819.	7	
„ process of, not to issue against the Nazim of Bengal, ...	3	5	2	3	19. 1825.	4	
„ of lands by Government without judicial proceedings, ...	4	14	0	1	3. 1818.	9	
„ for arrears prevented by removal of property, penalty, ...	10	6	5	6	17. 1793.	18	
					45 1795.	16	
					28. 1803.	16	4
„ „ resistance of penalty, ...	.	.	.	7	..	19	
					..	17	
					..	17	1, 2
„ „ to be withdrawn on payment of arrears, ...	10	6	8	9	..	11	
					..	9	
					..	9	
„ on failure of security before the superintendent of Cuttack, ...	11	1	3	3	11. 1816.	19	3
„ of *lakhiraj* lands for default of notice, ...	11	9	4	1	3. 1828.	11	1
„ of lands by courts, to be done through collectors, ...	3	8	0	1	5. 1827.	3	
AUDITOR, CIVIL, statements of native officers to be sent to, ...	6	1	4	1, 2	8. 1809.	11	1, 2
AUMEENS, employed to divide estates, amenable for corruption, ...	2	3	4	11	19. 1814.	13	2
„ may be appointed by courts for particular investigations, ...	2	2	10	9	4. 1793.	17	
					3. 1803.	10	
„ SUDDER, reference of suits to, ...	1	9	2	—	See Anal.		
„ „ rules concerning the number of, ...	9	1	0	1	4. 1827.	3	
„ „ law officers to be *ex-officio*, ...	.	.	.	2	23. 1814.	62	
„ „ *fiscal* of Hooghly to be *ex-officio*, ...	.	.	.	3	18. 1825.	9	
„ „ general nomination of, ...	.	.	.	4	23. 1814.	63	
„ „ charge of office on the death of, ...	.	.	.	5	.	48, 73	
„ „ qualifications of, ...	.	.	.	6	..	64	

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
AUMEENS, SUDDER, *sunnuds* of appointment, ...	9	1	0	7	23. 1814.	65	1
,, ,, to receive salaries instead of fees, ...	.	.	.	9	13. 1824.	2	2
,, ,, oath of an appointment, ...	.	.	.	10	23. 1814.	66	
,, ,, *kutcherree* of, where to be held, ...	9	2	0	1	..	67	
,, ,, *kutcherree* of, at joint-stations, ...	.	.	.	2	2. 1821.	6	
,, ,, reference of suits to, at joint stations, ...	.	.	.	3, 4	..	11	3
,, ,, misconduct of, punishable by the Z. or C. Judge, ...	9	3	0	1	23. 1814.	67, 10	1
,, ,, corruption, charges of against, forms and penalty, ...	.	.	.	2	..	67, 10	2
,, ,, may try suits not exceeding 150 Rs.	9	4	1	1	24. 1814. / 23. 1814.	7 / 68	2
,, ,, authority to try suits not exceeding 500 Rs.	.	.	.	2, 3	2. 1821.	5	1, 2
,, ,, to try suits above 150 Rs. on the general rules, ...	.	.	.	4	..	..	3
,, ,, authority to try appeals from *moonsiffs*, ...	9	4	2	1	23. 1814.	75	1
,, ,, to keep separate register of appeals, ...	.	.	.	2	..	..	2
,, ,, to try appeals on the general rules, ...	.	.	.	3	..	..	3
,, ,, may be ordered to execute decrees of *moonsiffs*, ...	9	4	3	1	2. 1821.	7	2
,, ,, prohibition not to try certain suits, ...	9	4	4	1	23. 1814.	68	
,, ,, may try suits of paupers, ...	9	4	5	1	13. 1824.	4	2
,, ,, but only on the orders of the judge, ...	.	.	.	2	..	..	3
,, ,, may inquire into the circumstances of paupers, ...	.	.	.	3	..	..	4
,, ,, general trial of suits by, ...	9	5	—	—	See Anal.		
,, ,, to forward statements of stamp duty returned to pffs.	9	5	1	3	13. 1824.	3	3
,, ,, themselves to try suits, in open court, ...	9	5	8	1	23. 1814.	71	
,, ,, appeals from, rules for, ...	9	6	—	—	See Anal.		
,, ,, to follow rules for Z. or C. C. when no provisions occur, ...	9	8	0	1	23. 1814.	74	
,, ,, to report all fines for sanction by the judge, ...	9 / 7	8 / 2	0 / 2	12 / 4	23. 1814. / 27. 1814.	74 / 15	1
,, ,, authority to punish for contempt of court, ...	9	8	0	2	12. 1825.	6	2
,, ,, may be employed to make investigations, ...	2 / 9	2 / 9	10 / 0	2 / 1	23. 1814.	76	1
,, ,, to receive particular instructions on such occasions, ...	9	9	0	2	..	..	2
,, ,, expenses of, to be reimbursed on such occasions, ...	.	.	.	3	..	..	5
,, ,, proceedings of, to be received as evidence, ...	2	2	10	4	..	..	4
,, ,, may be employed to sell property in execution of decrees, ...	9	9	0	4	7. 1825.	3	1
,, ,, of Chittagong, particular rules for, ...	9	10	—	—	23. 1814.	59 / 73	3
,, ,, generally to be guided by decisions of collectors in regard to the *mukals* under settlement, ..	11	10	8	6	7. 1822.	31	2
,, ,, may be empowered to try suits above 1000 Rs.	9	4	1	4	4. 1827.	2	1
AWARD of ARBITRATION.—*See Arbitration.*							
B.							
BACKERGUNGE, court established in, ...	1	1	1	7	7. 1797.	2	
BADSHAHY GRANTS disputes concerning, to be settled in court, ...	4	5	1	3	37. 1793. / 42. 1795. / 36. 1803.	4 / 4 / 4	
,, ,, for life only to be decreed to original grantees, ...	4	5	13	2	..	2 / 2 / 2 / 2	4 / 4 / 4 / 6
,, ,, transfers of such for longer than life illegal, ...	.	.	.	6	..	2 / 2	6 / 6
BALASORE, Dutch factory of, attached to *zillah* Cuttack, ...	1	1	1	6	18. 1825.	2	2
BAMBOO, to be erected on land when the crops are disputed, ...	5	5	0	3	6. 1821.	5	3
BAREILLY, provincial court established at, ...	12	1	3	1	4. 1803.	2	
BEHAR, civil courts established in the *zillahs* of, ...	1	1	1	1	3. 1793.	2	
,, suits in the courts of, cognizable from what date, ...	2	1	2	1	..	14	
,, *lakhiraj* grant in the province of, confirmed from what date, ...	4	5	4	1	14. 1825.	3	2
BENARES, courts established in the *zillah* and city of, ...	1	1	2	1	7. 1795.	2	
,, suits in the Raja's lands to be referred to the Raja of, ...	1	3	1	2	15. 1795.	3	
,, suits in the courts of, cognizable from what date, ...	2	1	2	2	7. 1795.	8	
,, *lakhiraj* tenures in the province of, confirmed from what dates, ...	4	5	4	1	14. 1825.	3	2
,, *somputty mahajuns* of, and Baboos exempted from securities for attendance in suits, ...	2	2	3	6	8. 1795.	10	
,, provincial court established in, ...	12	1	2	1	9. 1795.	2 / 3	
,, lands of the Raja of.—See Raja.	11	16	—	—	7. 1828.		
,, people of, to retain ancient rights regarding lands, ...	.	.	0	2	..	4	
BENGAL, civil courts established in the *zillahs* of, ...	1	1	1	1	3. 1793.	2	
,, Nazim of, suits against dependants of, rules for, ...	1	3	2	1	16. 1793.	10	
,, ,, references to, form of, ...	1	10	0	2	19. 1805.	2, 4	
,, ,, suits by and against, admissible, ...	3	5	2	1, 2	19. 1825.	2, 3	

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule	Reg.	Sec.	Cl.
BENGAL, suits from what date cognizable in the courts of,	2	1	2	1	3. 1793	14	
„ *lakhiraj* tenures confirmed in, from what date,	4	5	4	1	14. 1825	3	2
BEERBHOOM, *zillah* of, attached to the P. C. A. of Moorshedabad,	12	1	1	3	1. 1806	3	
BHAUGULPORE HILLS, Reg. VII. 1822, extended to,	11	10	1	6	9. 1825.	2	3
BIDDERS at auction failing to make deposits, liable to confinement,	1	12	0	6	11. 1822	14	3
BOARDS, declining to redress pff. information to courts,	3	1	2	2	2. 1814.	3	4
„ of revenue, to fix amount of security in certain suits,	4	5	1	1	2. 1819.	22	3
„ „ to authorize sales of land for decrees,	2	2	5	1	45. 1793. 20. 1795. 26. 1803.	2 2 16	
„ „ to superintend inquiries concerning revenue officers,	11	4	1	2	17. 1813.	5	2
„ „ appeals to, from decisions of collectors,	11	10	5	1	17. 1822.	29	1
„ „ to see that collectors investigate question of right, in cases of dispossession,	11	10	7	1	..	34	1
„ „ judicial powers of, in stamp matters,	11	13	0	1	26. 1824.	17	
„ „ to consult S. R. L. A. when requisite,	11	14	0	4	8. 1816.	5	
„ of trade, to superintend inquiries concerning commercial officers,	11	4	1	3	17. 1813.	5	2
„ of customs, may consult S. R. L. A. when requisite,	11	14	0	5	10. 1819.	8	
„ of revenue, may authorize collectors to revise decisions under Reg. XV. 1824,	11	10	1	11	4. 1828.	2	3
„ „ authority of, in cases of resumption when to be suspended,	11	15	2	3	3. 1828.	2	6
„ „ may appeal from collectors to the commissioner,	11	15	5	4	3. 1828.	4	4
BONDS, of British subject obtaining license to reside,	1	3	3	3	28. 1793. 18. 1803.	3 3	
„ of do. instituting suits in courts,	.	.	.	6	11. 1797. 18. 1803.	2 7	
„ form of legal,	4	2	0	1	3. 1793.	16	
„ of security for attendance in regular suits, form,	2	2	3	2	3. 1797. 2. 1806.	3 4	
„ of security and arbitration to be filed without *durkhasts*,	2	2	7	7	26. 1814.	24	
„ for stamp duty on.—See appendix to ch. 2.							
BRITISH SOLDIERS, actions for debt against,	3	4	6	2	20. 1825.	4	1
„ „ such actions cognizable in the civil courts,	1 3	3 4	3 6	7 3	..	..	3
BRITISH SUBJECTS, how amenable to *mofussil* courts,	1	3	3	1, 2	3.1793. 7.1795. 2.1803.	9 7 6	
„ „ to execute bonds before obtaining leave to reside,	.	.	.	2	28. 1793. 18. 1803.	2 2	
„ „ to execute such bonds before the Judge,	.	.	.	3	.. ..	4 4	
„ „ to execute the same on changing residence,	.	.	.	4	.. ..	5 5	
„ „ refusing to execute bonds, penalty,	.	.	.	5	.. ..	6 6	
BUNDLECUND, court established in,	1	1	4	1	8. 1805.	5	
„ certain lands in exempt from the regulations,	1	3	1	1	12. 1812.	2	
„ suits in the court of, cognizable from what date,	2	1	2	4	8. 1805.	6	2
„ *zillah* of, attached to the P. C. A. of Benares,	12	1	2	1	..	8	
BYE-BIL-WUFFAS, principles and redemption of,	4	4	4	—	1. 1798. 34. 1803.	2 12	

C.

CALCUTTA, suits for property in not to be admitted in courts,	1	3	1	3	2. 1803.	12	
„ residents of, suits by and against,	3	6	0	1	9. 1819.	7	
„ provincial courts established in,	12	1	1	1	5. 1793.	2	
CALLAPORE, Dutch factory of, attached to *zillah* Moorshedabad,	1	1	1	2	18. 1825.	2	2
CASTE, suits concerning, cognizable in civil courts,	1	4	0	1	3. 1793. 2. 1803.	8 5	
CHINSURAH, attached to *zillah* Hooghly,	1	1	1	3	18. 1825.	2	1
„ competency of former courts of, to be decided by the Gov. Gen. in C.	2	1	1	2	..	5	
CHITTAGONG, particular rules for the *moonsiffs* and *sudder ameens* of,	9 10	10 2	— 1	— 7, 8	23. 1814.	57 58 59	
CHUPPERBUND RYOTS.—*See Ryots.*							
CHURS, thrown up in large rivers, to belong to Government,	4	15	0	5	11. 1825.	4	3
„ in small rivers to the proprietors of *julkur*,	.	.	.	6	..	..	4
CLAIMS, valuation of, in suits for *malguzaree* lands,	1	6	2	1	1. 1814.	14	1
„ „ for portions of such not distinctly assessed,	.	.	.	2	19. 1817.	5	
„ „ for *lakhiraj* lands,	.	.	.	3	1. 1814.	14	2
„ „ for other property or matter,	.	.	.	5	..	..	3
„ „ being contradicted, proceedings,	1	6	1	4	13. 1808.	1	4

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule.	Reg.,	Sec.	Cl.
CLAIMS, valuation of, in certain suits for compensation by ousted purchasers, ...	4	6	2	2	11. 1822.	26	
" on the part of Govt. cognizable within 60 years, ...	2	1	2	13	2. 1805.	2	2
" to property proclaimed for sale on decrees, to be tried, ...	2	2	6	7, 8	7. 1825.	3	6
						4	4, 5
" to indigo crops, to be forfeited if not advanced	5	5	0	3	6. 1821.	5	3
" for rent on crops, to be held prior to all others, ...	10	6	7	2	7. 1799.	9	
					28. 1803.	17	2
" cognizable by the special commission, ...	11	5	1	2	1. 1821.	3	
				4	1. 1823.	2	2
" in lands under settlement to be tried by collectors, ...	11	10	1	1	7. 1822.	15	
" such may first be instituted in civil courts, ...	11	10	8	7	..	30	
" being misstated by pffs. inquiry by P. C. A.	12	3	0	6	13. 1808.	5	1
" for *lakhiraj* land attached for default of notice, ...	11	9	4	2	3. 1828.	11	2
" for lands, rents, or produce in *mahals* under settlement, ...	11	10	1	9	4. 1828.	2	1
CLIENTS, may prosecute *vakeels* for any injury, ...	7	2	2	1	27. 1814.	12	1
					3. 1793.	10	
COLLECTORS, amenable to civil courts officially and generally, ...	1	3	4	1	7, 1795.	7	
					3. 1803,	7	
" amenable in suits by wards, ...	1	3	5	1	10. 1793.	12	
					52. 1803.	40	
					14. 1793.	12	
" amenable in suits by confined defaulters, ...	.	.	.	2	6. 1795.	35	
					27. 1803.	32	
" amenable in suits against resumption of lands, ...	.	.	.	4	2. 1819.	26	1
" amenable in suits by native officers confined, ...	.	.	.	3	3. 1794.	20	
					33 1803.	7	
" amenable for withholding *sayer* compensations, ...	.	.	.	5	27. 1793.	12	
					38. 1803.	18	
					24. 1793.	17	
" amenable for withholding pensions, ...	.	.	.	6	34. 1795.	14	
					24. 1803.	16	
" by persons denying arrears demanded of them, ...	.	.	.	7	3. 1794.	12	
					27. 1803.	16	2
" may be sued on the invalidity of revenue engagements, ...	.	.	.	8	14. 1793.	46	
					6. 1795.	51	
					14. 1793.	36	
" liable to fine, for refusing to obey orders of court, ...	.	.	.	9	6. 1795.	42	
					27. 1803.	30	
" assistants acting as, amenable as collectors, ...	.	.	.	11	4. 1821.	8	5
" competent to punish persons resisting their process, ...	1	5	4	10	7. 1822.	24	2
					14. 1793.	41	
" suits against though removed, rules for defending, ...	3	1	3	5	6. 1795.	47	
					27. 1803.	44	
					14. 1793.	5	
" power to arrest and confine defaulters, ...	5	7	0	1	6. 1795.	11	
					27. 1803,	11	
" may detain defaulters in custody for 10 days, ...	.	.	.	2	7. 1799.	23	2
					14. 1793.	5	
" application by, to court, for such confinement, ...	.	.	.	3	6. 1795.	11	
					47. 1803.	11	
" may appeal from appointment of managers by Z. or C. Judges, ...	5	14	0	2	5. 1812.	27	
" to urge claims of Govt. to discovered treasure, ...	5	15	0	5	5. 1817.	5	
" to conduct causes by and against native princes, ...	3	5	1	3	4. 1816.	3	
					38. 1793.	5	
" to report to Govt. Europeans holding lands, ...	4	13	0	3	48. 1795.	5	
					19. 1803.	5	
" orders of, upon contempt in *cutcherree*, ...	1	12	0	5	11. 1822.	37	1
" summary suits not to be referred to by registers, ...	8	1	6	1	19. 1817.	14	
" authority to distrain when in charge of estates, ...	10	6	2	4	7. 1799.	19	
" may distrain for Govt. revenue in certain cases, ...	.	.	.	5	1. 1801.	4	
" to assist the special commission in executing orders, ...	11	5	4	7	1. 1821.	7	
" authority to try summary suits referred to them, ...	11	8	0	3	14. 1824.	3	
" power to summon wases, and issue processes in such cases, ...	.	.	.	4	..	4	
" to return cases decided to the judge with proceedings, ...	.	.	.	5	..	5	
" to settle remuneration to pleaders in such cases, ...	.	.	.	6	..	6	
" may try summary suits in any part of the district, ...	.	.	.	9	..	9	
" may admit claims concerning *lakhiraj* lands, ...	11	9	1	1	2. 1819.	30	1
" to pass judgments in such cases, forms, ...	.	.	.	4	..	..	4
" may try such suits in any part of the district, ...	.	.	.	6	7. 1822.	28	
					9. 1825.	5	9

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
COLLECTORS, *kutcherry* of, to be as a court of civil justice, ...	11	9	1	7	7. 1822.	23	1
	11	10	3	1	9. 1825.	5	9
,, may award adequate fees in such cases, ...	11	9	1	8	7. 1822.	25	
					9. 1825.	5	9
,, may summon wsses. and give oaths in such cases, ...	.	.	.	9	2. 1819.	19	1
,, to keep records of such cases, rules, ...	.	.	.	12	..	16	
,, to return proceedings in suits referred by courts, ...	.	.	.	13	..	30	6
,, may award charges to wsses.	11	9	1	14	9. 1825.	5	10
	11	10	3	8			
,, appeals from such decisions of, *(See Appeals)*	11	9	2	—	2. 1819.	30, 38	7, 8
,, to submit such decision to Board of Revenue, ...	.	.	.	3	..	30	9
,, empowered to execute their own decree, rules, ...	.	.	.	6	7. 1822.	23	3
					9. 1825.	5	9
,, believing unpossessed lands to belong to Government, process, ...	11	9	3	1	9. 1825.	5	12
,, judicial powers of, in lands under settlement, ...	11	10	1	1	7. 1822.	15	
,, such powers may be vested in, by G. G. in C.	.	.	.	2	..	16	
,, may try claims to *malikana* in such lands, ...	.	.	.	3	..	17	
,, to decide their own jurisdiction in cases of doubt, ...	11	10	2	1	..	18	
,, to issue process prescribed for courts in such cases, ...	11	10	3	2	..	21	
,, to award proper fees for *vakeels* in such cases, ...	.	.	.	3	..	25	
,, may try such suits in any part of the district, ...	.	.	.	5	..	27	
,, empowered to call for accounts, examine wsses. &c.	.	.	.	7	..	9	1
,, to execute decrees by the process for recovering arrears, ...	11	10	4	1	..	23	3
,, may refer suits to arbitration, rules, ...	11	10	6	1	..	33	1
,, may return first awards of arbitrators, ...	.	.	.	2	..	..	2
,, to try quarrels for possession in settling lands, ...	11	10	7	1	..	34	1
,, to send notice to the magistrate of such disputes, ...	.	.	.	2	..	..	2
,, to refer such cases to arbitration, ...	.	.	.	3	7. 1822.	34	3
,, may try suits for dispossession and other disputes in such lands, ...	.	.	.	4	..	14	4
,, may be vested with judicial powers generally by the G. G. in C.	11	10	1	7	7. 1822.	20	1
					9. 1825.	3	
,, references to, by courts, ...	1	10	4	—	See Anal.		
,, to attach lands in precepts from courts, ...	2	4	2	5	5. 1798.	6	
					4. 1803.	12	9
,, of *abkarree muhals*, judicial powers of, ...	11	11	0	1	10. 1813.	22	1
,, ,, ,, to forward persons selling illicit wines to the judge, ...	1	12	0	1	..	..	5
,, of town duties, amenable to civil courts, ...	1	3	4	7	10. 1810.	23	
,, of customs, amenable, ...	.	.	.	6	9. 1810.	40	
,, competent to try all claims in *muhals* under settlement, ...	11	10	1	9	4. 1828.	2	1
,, competent to revise decisions under Reg. XV. 1824, ...	.	.	.	10	..	..	2
,, may be vested with this power retrospectively, ...	.	.	.	11	..	..	3
,, duration of judicial powers of, while settling *muhals*, ...	.	.	.	12	..	..	4
,, when to investigate cases of Reg. II. 1819, without reference to the Board, ...	11	15	5	1	3. 1828.	4	1
,, to assist special commissioners when required, ...	.	.	7	8	..	7	1
COMMERCIAL RESIDENTS, amenable to civil courts, ...	1	3	4	2	31. 1793.	16	
					37. 1803.	16	
,, ,, suits against, rules for admission, ...	3	1	1	1	..	..	
,, ,, may defend suits against their officers, ...	.	.	.	1	..	18	
					..	18	
,, ,, removed, suits to be defended by, ..	.	.	.	3	..	23	
					..	23	
,, ,, to empower officers to give security for weavers, ...	3	2	1	5	..	10	2
					..	10	2
,, EUROPEAN OFFICERS, trial of charges against, ...	11	4	1	3	17. 1813.	5	3
COMMISSION, for trying charges against European officers, appointment of, ...	11	4	3	1	17. 1813.	6	1
,, to consist of two persons, one being a judicial officer, ...	.	.	.	2	8. 1817.	6	
,, if superintended by G. G. in C. to report proceedings to him, ...	.	.	.	4	..	3	
,, in such case to apply for instructions to G. G. in C.	.	.	.	5	..	4	
,, if superintended by the S. D. A. to apply to that Court, ...	.	.	.	6	17. 1813.	7	
,, place of sitting to be appointed by G. G. in C.	.	.	.	7	..	6	2
,, to be considered as a Z, or C. C.	11	4	6	2	..	11	
,, to consult the S. D. A. concerning regulations, ...	11	4	7	1	8. 1817.	5	
,, may propose new regulations if required, ...	.	.	.	2	..	4	
,, to forward result of inquiry to the proper authority, ...	11	4	8	2	17. 1813.	13	
,, proceedings of, to be forwarded to the G. G. in C. *(See Corruption.)*	.	.	.	3	..	14	
,, SPECIAL, MOFUSSIL, principles of, ...	11	5	1	1	1. 1821.	1, 2	
,, ,, ,, jurisdiction of, in regard to claims, ...	.	.	.	2	1. 1821.	3	1
				4	1. 1823.	2	2
,, ,, ,, to annul what sales of lands, ...	.	.	.	3	1. 1821.	3	2

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
COMMISSION, SPECIAL MOFUSSIL, to re-admit suits dismissed, undue influence not having been proved, ..	11	5	1	6	1. 1823.	2	4
" " " to annul former transfers on what plea, ...	.	.	.	7	1. 1821.	3	3
" " " to annul mortgages and assignments on what plea, ...	.	.	.	8	..	..	4
" " " may admit claims for dependent interests in land, ...	.	.	.	9	..	..	5
" " " may admit claims to be *malguzars*, ...	.	.	.	10	..	..	6
" " " to state distinctly all interests awarded, ...	.	.	.	11	..	..	7
" " " to apply similar rules to possession of illegal transfers, ...	.	.	.	12	..	..	8
" " " may recommend parties to enter into compensation, ...	.	.	.	13	..	4	1
" " " may award compensation to injured parties, ...	.	.	.	14	..	..	2
" " " may refer disputes to arbitration, ...	.	.	.	15	4. 1826.	3	
" " " members of, to take oath on appointment, ...	11	5	2	1	1. 1821.	12	3
" " " single members of, to hold sittings, ...	.	.	.	2	4. 1826.	2	1
" " " may require records of suits from courts, ...	11	5	3	1	1. 1821.	5	1
" " " jurisdiction of, extended, ...	.	.	.	3	..	..	3
" " " to settle amounts of *vakeels'* fees, ...	11	5	4	1	..	..	4
" " " to direct its own proceedings, fees, &c.	.	.	.	2	..	6	1
" " " to follow rules for Z. or C. C. in general matters, ...	.	.	.	3	..	..	2
" " " execution of decrees by, ...	.	.	.	4	..	..	3
" " " to commit persons for perjury, ...	.	.	.	6	..	..	5, 6
" " " to refer points of jurisdiction to S. D. A.	.	.	.	8	..	8	
" " " empowered to punish *putwaries* and *kanoongoes*, ...	.	.	.	9	..	9	
" " " decisions of, only to be reversed by two members of the *sudder* commission, .	11	6	1	3	4. 1826.	4	
" " " to certify its proceeding to the *sudder* commission in appeals, ...	.	.	.	5	1. 1821.	10	4
" " " members of, differing in opinion, reference to S. C.	11	6	2	1	..	..	5
" " " to refer all difficulties to the *sudder* commission, ...	.	.	.	2	..	..	6
" " " to delay decisions pending such references, ...	.	.	.	3	..	..	7
" " " appeals from admissible in three months, ...	11	6	4	1	..	11	1
" " " to settle its own jurisdiction in certain cases, ...	11	6	5	1	..	..	3
" " " to be guided by the general regulations, ...	11	6	6	1	..	12	1
" SPECIAL, for trial of cases according to Reg. II. 1819, ...	11	15	1	1	3. 1828.	2	1
" " may be vested with the powers of the Board of Revenue, ...	.	.	3	5	..	3	
" " decision of single members of, when final, ...	.	.	6	2	..	4	6
" " may direct collectors' proceedings, ...	.	.	7	2	..	6	2
" " to possess the powers of Z. Courts generally, ...	.	.	.	3	..	..	3
" SUDDER, appointed, ...	11	6	1	1	..	10	1
" " constitution or authority of, ...	.	.	.	2	..	..	2
" " single members to hold sittings (exception,)	.	.	.	3	4. 1826.	4	
" " may call for any proceedings and revise them, ...	.	.	.	4	1. 1821.	10	3
" " undue influence, need not be proved before, ...	.	.	.	6	1. 1823.	2	5
" " to consider references from special commission as appeals, ..	11	6	2	3	1. 1821.	10	7
" " members of, differing in opinion, rule, ...	11	6	3	1	..	..	8
" " appeals from, to the King in Council, ...	11	6	4	2	..	11	2
" " to determine its own jurisdiction and cognizance, ...	11	6	5	1	..	..	3
" " may propose new regulations, ...	11	6	6	2	..	12	2
COMMISSIONER of Cuttack, vested with powers of P. C. A.	11	2	0	1, 2	5. 1818.	2, 3	
" " may decide suits in any part of Cuttack, ...	.	.	.	3	..	5	1
" " may admit pleading *in formâ pauperis* at discretion, ...	.	.	.	5	..	..	3
" " may admit petitions on plain paper, ...	.	.	.	6	..	..	4
" " may employ registers and assistants in revenue matters, ...	.	.	.	7	..	8	
" " to confirm appointments and removal of native officers, ...	.	.	.	8	..	7	
" " appeals from, to the S. D. A. limited, ...	.	.	.	9	..	5	5
" of Rungpoor to exercise every authority of Government, ...	11	3	0	2	10. 1822.	3	
" " court and decisions of, ...	.	.	.	3	..	6	
" " to be guided by the regulations generally, ...	.	.	.	4	..	6	
" " to refer all difficulties to the Gov. Gen. in C.	.	.	.	7	..	9	
" of the Sunderbuns, certain claims before, ...	4	19	0	2	3. 1828.	13	2
" for native.—*See Moonsiffs.*							
COMPULSION, suits against salt officers, for, ...	3	2	6	—	10. 1819.	8	
CONDITIONAL SALES, redemption of, forms, ...	4	4	0	1	1. 1798. / 24. 1803.	2 / 12	
" " do. in cases of the lenders holding possession, ...	.	.	.	2	.. / ..	3 / 13	
CONFINEMENT of debtors on decrees, rules for, ...	2	2	4	2	4. 1793. / 3. 1803.	8 / 10	See Anal.
" of persons for illicit sale of wines, ...	1 / 11	12 / 11	0 / 0	1 / 2	10. 1813.	22	5
" of persons refusing to take oath before collectors, &c.	1	12	0	3	2. 1819. / 8. 1809.	19 / 10	1 / 5
" of persons by order of salt agents, ...	.	.	.	2	10. 1819.	111	
" of *putwaries* withholding accounts, ...	.	.	.	4	12. 1817.	23	

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec	Cl.
CONFINEMENT, of persons guilty of contempt before collectors,	1	12	0	5	11. 1822.	37	1
„ of bidders at auction not making deposits,	.	.	.	6	..	14	3
„ of defaulters by collectors, *(See Defaulters,)*	5	7	—	—			
CONTEMPT OF COURT, penalty before Z. or C. C.	1	5	6	1	4. 1793.	21	
					3. 1803.	22	
„ „ fine for, commutable to imprisonment,	.	.	.	2	12. 1825.	6	1
„ „ before collectors, penalty,	1	12	0	5	11. 1822.	37	1
„ „ before *sudder ameens*, penalty,	9	8	10	2	12. 1825.	6	2
„ „ before *moonsiffs*, penalty,	10	2	12	—	23. 1814.	42	
					12. 1825.	6	2
„ „ before provincial courts, rule,	12	5	3	—	5. 1793.	20	
					4. 1803.	20	
COPIES of decrees, rules for obtaining,	2	2	2	3	26. 1814.	8	8
„ „ stampt paper required for,	.	.	.	4	1. 1814.	16	1
„ „ when to be taken on plain paper,	.	.	.	4	..	..	2,3,4
„ „ rule for the endorsement of,	.	.	.	5	..	8	9
„ „ for *malguzary* lands, to be sent to collectors,	.	.	.	6	58. 1795.	4	
					3. 1803.	11	
„ „ as also if for *lakhiraj* lands,	.	.	.	7	58. 1795.	3	
„ „ to be sent to Government when Government is a party,	.	.	.	8	2. 1805.	9	
„ „ to be given to parties by *moonsiffs*,	10	2	13	3	23. 1814.	41	1
„ „ by *moonsiffs*, need not be on stampt paper,	.	.	.	4	..	..	3
„ „ need not accompany appeals to original courts,	12	9	2	3	26. 1814.	8	2, 6
	13	4	1	4			
„ „ but must, if petitions be presented to the court of appeal,	12	9	2	4			
	13	4	1	3	..	..	7
„ of all orders of P. C. to be given under the court seal,	12	7	0	1	5. 1793.	9	
					4. 1803.	9	
„ of orders by P. C. rejecting appeals, to be given to appellants,	12	6	3	2	12. 1797.	3	
					5. 1803.	11	
„ of orders to accompany petitions of summary appeals,	12	12	2	4	26. 1814.	3	6
„ of records in cases appealed, to be kept in P. C.	12	6	3	3	6. 1793.	11	
					5. 1803.	11	
„ similar rule for Z. and C. C.	2	4	1	7	5. 1793.	12	
					4. 1803.	13	
„ Z. and C. C. to give, of orders rejecting appeals,	.	.	.	4	12. 1797.	4	
					4. 1803.	12	10
„ of registered deeds to be sufficient evidence of registry,	8	4	3	3	20. 1812.	2	5
„ of decrees of S. D. A. to be attested by the register,	13	5	6	1	6. 1793.	28	
					5. 1803.	28	
„ of all orders of S. D. A. to be similarly attested,	13	5	11	1	..	6	
„ of proceedings translated, to be sent to Gov. Gen. in C. in appeals to the King in Council,	13	6	0	5	..	6	
„ of regulations, to accompany appeals to the King in Council,	.	.	.	5	16. 1797.	5	
„ of decrees of S. D. A. to be given to paupers on English paper,	3	3	2	10	..	6	
„ of decisions to be sent to *sepoys*,	3	4	1	5	28. 1814.	18	
„ of decrees convicting native officers, to be sent to Gov. Gen. in C.	6	5	2	6	15. 1816.	3	5
					12. 1793.	8	
					11. 1803.	8	
CORRESPONDENCE, with parties in suits, prohibited to Z. and C. Judges,	1	10	0	1	3. 1793.	19	
					2. 1803.	20	
„ „ „ prohibited to provincial judges,	12	7	0	1	5. 1793.	9	
					4. 1803.	9	
„ „ „ prohibited to judges of S. D. A.	13	5	11	1	6. 1793.	6	
					5. 1803.	6	
„ with commanding officers concerning *sepoys'* suits,	3	4	4	2	15. 1816.	10	1
„ concerning native officers of courts, rules,	1	10	0	3	5. 1804.	22	
	6	1	4	5	8. 1809.	12	
„ by additional registers, rules for,	8	2	4	1	24. 1814.	12	11
CORRUPTION, charges of, against ministerial native officers,	6	5	1	—	13. 1793.	9	
					12. 1803.	12	
„ charges of, against law officers of courts,	6	5	2	—	12. 1793.	8	1
					11. 1803.	8	1
„ such charges to be tried as civil actions,	6	5	1	9	13. 1793.	9	7
					12. 1803.	12	7
„ native officers may be criminally prosecuted for,	6	5	3	1	18. 1817.	6	2
„ convictions of native officers to be reported to Gov. Gen. in C.	.	.	.	2	..	..	3
„ charges of, against European officers only to be received on oath,	11	4	2	1	17. 1813.	4	1
„ „ rules for admission of such charges,	.	.	.	3	..	5	1
„ „ to be dismissed, if frivolous,	.	.	.	5	..	..	3

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
CORRUPTION, charges of, admission of, by courts of judicature, ...	14	4	2	4	27. 1813.	5	2
,, ,, on admission, to be transmitted to Gov. Gen. in C.	.	.	.	6	..	..	4
,, ,, conduct of, to be determined by Gov. Gen. in C.	11	4	5	1	..	9	
,, ,, form of inquiry into, *(See Commission,)*	11	4	6	1	..	10	
,, ,, expenses may be re-imbursed to pffs.	11	4	10	1	..	16	
,, ,, such charges proving false, penalty, ...	11	4	11	1	18. 1825.	5	1
,, charges against native officers of Z. or C. C. when to be tried by P. C. A.	12	13	2	2	13. 1793.	9	6
					12. 1803.	12	6
COSTS, of witnesses, to be defrayed by parties summoning, ...	2	2	8	1	4. 1793.	6	
					3. 1803.	7	
,, to be specified in decrees, ...	2	3	2	2	27. 1814.	27	
,, of executing decrees for lands, rules for charging, ...	2	3	4	10	19. 1814.	5	
,, in suits of paupers, adjustment of, ...	3	2	1	15, 16	28. 1814.	19	
						10	1
,, security for, to accompany petitions of appeal, ...	12	9	5	1	26. 1814.	8	2
,, similar rule in special appeals, ...	12	11	3	1	..	2	4
,, may be settled by S. D A. at discretion, ...	13	5	9	1	6. 1793.	9	
COURTS, *zillah* and city, *(See Zillah,)*	1						
,, provincial, *(See Provincial,)*	12						
,, of S. D. A. *(See Sudder,)*	13						
,, (generally) to consider receipts for advances as evidence against compulsion in certain cases, ..	3	2	6	6	10. 1819.	11	
,, competent to direct collectors to admit certain securities, ...	4	5	1	1	2. 1819.	22	3
,, may award damages against irregular auction sales, ...	4	6	2	2	11. 1822.	26	
,, may recommend estates sold, to be returned, &c.	.	.	.	.	..	..	
,, to enforce auction purchases, on the motion of collectors, ...	4	6	5	10	..	28	1
,, competency of, to be decided by Gov. Gen. in C.	2	1	1	2	3. 1793.	16	
					2. 1803.	10	
,, may require explanation from parties in suits, ...	2	2	7	4	26. 1814.	2,3,4	
,, may require collectors to aid in executing decrees for lands, ...	2	3	4	9	7. 1825.	6	
,, may countermand or postpone sales in execution of decrees, ...	2	3	5	3	45. 1793.	16	
					20. 1795.	16	
					26. 1803.	24	
,, may reverse sales for irregularity (for decrees,)	.	.	.	5	7. 1825.	5	1
,, to determine all rights in lands, in suits, ...	5	1	3	3	7. 1799.	15	8
					5. 1800.	14	8
					28. 1803.	32	8
,, may authorize landholders to cancel *khodcasht* tenures for arrears, ...	.	.	.	5	8. 1819.	18	5
,, to admonish paupers against fraud, ...	3	3	1	6	28. 1814.	5	4
,, doubting the veracity of paupers, process, ...	.	.	.	7	..	..	6
,, may recommend parties to arbitration, *(See Arbitration,)*	2	5	1	1	16. 1793.	2	
					21. 1803.	2	
,, not to interfere with the duty of executors, ...	4	10	0	1	5. 1799.	2	
					3. 1803.	16	2
,, nor with the inheritance of heirs, ...	.	.	.	2	..	3	
						16	3
,, to give over certain records to special commission, ...	11	5	3	1	1. 1821.	5	1
,, not to alter rates of *malikanah* settled by collectors, ...	11	10	1	3	7. 1822.	17	
,, not to disturb possession given by collectors under Reg. VII. 1822, ...	11	10	2	1	..	18	
,, military, for cognizance of soldiers' debts, rules for, ...	3	4	6	1	20. 1810.		
					20. 1825.		
,, to refund sums embezzled by its officers, ...	5	11	0	6	3. 1827.	6	
,, to enforce payment of sums extorted, on proof of a criminal conviction, ...	6	5	1	11	..	5	
,, to forward cases of Reg. II. 1819, to special commissioners, ...	11	15	2	1	3. 1828.	2	4
CREDITORS, of judicial officers not to be employed in their courts, ...	6	1	2	1	21. 1814.	2,4	
,, getting themselves so employed, penalty, ...	.	.	.	5	7. 1823.	7	
CROPS, of indigo, ripening during summary suits, rules, ...	5	5	0	9	6. 1821.	5	9
,, to satisfy claims for rent before other claims, ...	10	6	7	2	7. 1799.	9	
					28. 1803.	17	2
,, attached for arrears, rules for reaping, ...	.	.	.	4	17. 1793.	13	
					45. 1795.	11	
					28. 1802.	11	
CUSTOMS, collectors of, amenable to civil courts, ...	1	3	4	6	9. 1810.	40	
,, suits against native officers of, ...	1	4	0	6	..	38	
,, native officers of, refusing to produce papers or money, ...	5	8	0	6	..	36	
CUTTACK, court established in, ...	1	1	1	6	14. 1805.	2	
,, certain *mukals* of, exempt from the regulations, ...	1	3	1	1	14. 1805.	11	
	11	1	1	1	12. 1805.	36	
,, processes in, to be written in the *Oryah* language, ...	2	2	5	5	14. 1805.	11	
,, commissioner of, *(See Commissioner,)*	11	2	—	—	5. 1818.	—	

	Analysis Chap.	Sec.	Cl.	Rule	Authority Reg.	Sec.	Cl.
CUTTACK, superintendent of, *(See Superintendent,)*	11	1			11. 1816		
D.							
DACCA, Dutch factory of, attached to the city of, ...	1	1	1	2	18. 1825.	2	2
„ provincial court established at, ...	12	1	1	1	5. 1793.	2	
DAMAGES, suits for, how to be valued, ...	1	6	2	5	1. 1814	14	3
„ suits for, cognizable within one year, ...	2	1	2	31	2. 1805.	7	
„ against officers conducting sales may be awarded, ...	4	6	2	2	11. 1822.	26	
„ to be awarded against landholders for unlawful arrests, ...	5	1	2	3	7. 1799. 5. 1800. 28. 1803.	15 14 32	5 5 5
„ to be awarded against landholders levying arrears not due, ...	10	6	3	2	17. 1793. 45. 1795. 28. 1803.	6 6 6	
„ against tenants not attending landholders, ...	5	1	3	2	7. 1799. 5. 1800. 28. 1803.	15 14 32	8 8 8
„ for dispossession to be sued for regularly, ...	5	4	0	11	15. 1824.	5	
„ against collectors for unlawful confinement, ...	5	7	0	8	14. 1793. 6. 1795. 27. 1803.	12 16 16	1
„ for improper sales of *putnee talooks*, ...	4	9	3	6	8. 1819.	14	1
„ to be awarded by *moonsiffs* for litigious plaints, ...	10	2	13	2	23. 1814.	40	
„ for irregularities in distraint by landholders, ...	10	6	2	2	7. 1799. 28. 1803.	2 2	2
„ for distraining contrary to the regulations, ...	10	6	3	3	17. 1793. 45. 1795. 28. 1803.	8 8 8	
„ for breach of attachment for arrears, ...	10	6	5	5	..	17 16 16	
„ for removing property to avoid attachment, ...	.	.	.	6, 8	..	18 16 16	
„ against others than defaulters for such removal, ...	.	.	.	9	..	20 18 18	
„ not to be sued for by *paupers*, ...	3	3	1	2	28. 1814.	4	
DEBT, actions for and against European soldiers, ...	3	4	6	—	20. 1810. 20. 1825.		
DEBTORS, confinement of, in satisfaction of decrees, ...	2	3	4		See Anal.		
„ confined, diet allowance of, rules, ...	2	3	4	2	4. 1793. 2. 1803.	8 10	
„ release of, on giving instalments, ...	2	2	4	5	2. 1806.	10	
„ for less than 64 R. only to be confined six months, ...	2 10	2 2	4 10	4 8	23. 1814.	45	7
„ insolvent, rules for the relief of, ...	2	3	7	—	2. 1806.	11	
„ once released not to be again confined for decrees of court of requests, ...	11	7	2	3	10. 1812.	2	3
DECISIONS, of Z. or C. C. rules for, ...	2	3	1	1	4. 1793. 3. 1803.	7 9	See An.
„ of P. C. rules for, ...	12	6	—	—	See Anal.		
„ of *sudder aumeens*, rules for, ...	9	5	9	—	Do.		
„ of *moonsiffs*, rules for, ...	10	2	13	1	23. 1814.	39	
„ of *sudder aumeens* and *moonsiffs* only to be reversed on the merits of the suits, ..	1 10	7 3	1 0	4 4	23. 1814.	46 73	4
„ of *moonsiffs*, when to be returned for revision, ...	1	7	1	4	..	27	2
„ generally on special appeals may be returned for revision, ...	12	11	5	1	19. 1817.	7	2
„ revision of, by courts, pleas and rules of, ...	1 12	8 6	1 2	1 1	26. 1814.	4	2
„ „ petition for, by whom admissible, rules, *(See Petition,)*	1	8	2	—	2. 1825. 18. 1825.	3 5	
„ „ concerning *lakhiraj* tenures in certain suits, ...	4	5	9	1	18. 1825.	5	
„ of commissioner of Cuttack, final to what amount, ...	11	2	0	9	5. 1818.	5	5
„ of commissioner for Rungpore, final as far as 5000 Rs.	11	3	0	3	10. 1822.	6	
„ of single members of special commission to be effective, ...	11	5	2	3	4. 1826.	2	2
„ of special commission only to be reversed by two members of *sudder commission*, ...	11	6	1	3	..	4	
„ „ to be reported to the *sudder commission* for revision, ...	.	.	.	4	1. 1821.	10	3
„ „ rules for executing, on appeals, ...	.	.	.	5	..	..	4

	Analysis. Chap.	Sec.	Cl.	Rule	Authority. Reg.	Sec.	Cl.
DECISIONS, summary, only appealable by a regular suit, ...	5	1	4	3	7. 1799.	18	
					5. 1800.	15	
					28. 1803.	33	
,, summary, of collectors may be appealed by a regular suit, ...	11	8	0	10	14. 1824.	10	
,, of collectors in *mukals* under settlement only to be reversed on the merits, ...	11	10	1	2	7. 1822.	16	
,, of the Board of Revenue, under Reg. VII. 1822, final as to the summary inquiry, ..	11	10	5	5	..	29	5
,, of collectors, under Reg. VII. 1822, appealable by regular suits, ...	11	10	8	1, 3	..	14, 29	1, 6
,, of single judges of P. C. to have effect as of the court, ...	12	2	6	1	13. 1810.	3	
,, ,, reversing orders appealed, rules, ...	12	2	7	2	25. 1814.	8	
,, of P. C. final on the cognizance of suits, ...	12	3	0	6	13. 1808.	5	1
,, of P. C. rules for reversing, by single judges of S. D. A.	13	1	2	10	25. 1814.	8, 16	
,, of courts to be guided by settlements of collectors, ...	11	10	9	1	7. 1822.	9	1
,, *See Appeals, Decrees.*							
,, of P. C. A. final to what amount, ...	12	13	6	1	5. 1798.	2	
					5. 1803.	10	1
,, of special commission in revenue cases may be reviewed by it, ...	11	15	6	1	3. 1828.	4	5
,, of do. when members disagree, ...	.	.	.	2	..	..	6
,, of Benares native commissioners subject to revision, ...	11	17	0	9	7. 1828.	24	
DECREES, to specify what particulars, ...	2	3	2	1	4. 1793.	26	
					3. 1803.	27	
,, to specify all costs and fees, ...	2	3	2	2	27. 1814.	27	
,, parties to petition for the execution of, ...	2	3	3	1	26. 1814.	15	5
,, for fees and fines to be executed without application, ...	.	.	.	2	..	..	9
,, order for executing, ...	.	.	.	5	..	..	7
,, execution of, when to be immediate, when delayed, ...	.	.	.	6	..	..	8
,, such rules concerning, imperative, ...	.	.	.	7	7. 1825.	7	
,, process and mode of executing, ...	2	3	4	1	4. 1793.	7	See
					3. 1803.	9	An.
,, in cases of contraband salt, rule for executing, ...	1	5	9	6	10. 1819.	115	
,, against *molungees*, salt officers, &c. execution of, ...	3	2	3	3	..	22	
,, against weavers, &c. execution of, ...	.	.	.	1	31. 1793.	12	
					37. 1803.	12	
,, on arbitration awards to be enforced as others, ...	2	5	1	9	16. 1793.	8	
					31. 1803.	8	
,, for immoveable property, execution of, in appeals, ...	2	4	2	—	13. 1808.	11	V.A.
,, for money, execution of, in appeals, ...	.	.	.	6	..	12	1
,, against lands attached by Government, satisfaction of, ...	4	14	0	3	3. 1818.	10	3
,, on charges of corruption to be delayed in appeals, ...	6	5	2	3	12. 1793.	8	3
					11. 1803.	8	3
,, ,, to be enforced if not appealed, ...	.	.	.	4	..	..	4, 5
					..	..	4, 5
,, of *moonsiffs*, what to specify, ...	10	2	13	2	23. 1814.	40	
,, ,, not to be executed by, until instructed, ...	10	2	14	1	..	44	
,, ,, not to be executed after a year, ...	.	.	.	6	..	45	5
,, ,, not to be executed if irregular, ...	.	.	.	7	..	..	6
,, ,, may be referred to registers for execution, ...	1	9	1	5	2. 1821.	7	2
	8	1	5	1			
,, ,, may be referred to *sudder aumeens* for do., ...	1	4	2	6			
	9	4	3	1	..	..	..
,, ,, rules for the execution of, ...	10	2	14	2	23. 1814.	45	1
,, ,, rules for executing in case of appeals, ...	10	3	0	5	..	46	5
,, of *sudder aumeens*, rules for executing, ...	9	5	10	—	See Anal.		
,, ,, referable to registers for execution, ...	1	9	1	5	2. 1821.	7	2
	8	1	5	1			
,, of *moonsiffs* and *sudder aumeens*, execution of, by additional registers, ..	8	2	1	9	..	12	
,, of collectors, summary to be enforced by Z. or C. Judges, ...	11	8	0	5	14. 1824.	5	
,, ,, in *lakhiraj* suits, to be enforced by courts, ...	11	9	2	4	2. 1819.	30	10
,, ,, such when to be executed in appeals, ...	.	.	.	5	..	..	11
,, ,, execution of, by collectors, ...	11	8	2	6	7. 1822.	23	3
	11	9	4	1	9. 1825.	5	9
,, ,, certain, to be executed in spite of appeals, ...	11	10	8	4	7. 1822.	28	2
,, of superintendent of Cuttack, execution of, ...	11	1	3	1	11. 1816.	19	1
,, ,, not to be executed without notice to Government, ...	.	.	.	4	..	..	4
,, ,, need not be on stampt paper, ...	11	1	1	9	..	9	
,, of special commission, execution of, rules, ...	11	5	4	4	1. 1821	6	3
,, of the court of requests, execution of, in the 24-Pergunnahs, ...	11	7	2	1	16. 1812	2	1
,, ,, plea for delay in executing, ...	.	.	.	2	..	..	2
,, of P. C. to be executed through Z. or C. C.	12	6	1	1	5. 1793.	6	
					4. 1803.	6	

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
DECREES of P. C. concerning lands, to be executed by Z. or C. C.	12	6	1	2	5. 1793.	27	
					4. 1803.	27	
„ „ to be executed by P. C. in their own district, ...	.	.	.	3	2. 1821.	8	
„ execution of, on failure of security required by S. D. A.	13	5	1	2	12. 1797.	3	
					5. 1803.	10	9
„ of S. D. A. rules for executing, ...	13	5	10	1	6. 1793.	21	
					5. 1803.	21	
„ execution of, in appeals to the King in Council, ...	.	.	.	4	16. 1797.	4	
„ See *Copies, Decisions, Petition, Stamp Duty.*							
„ of collectors, under Reg. III. 1828, execution of, ...	11	15	5	3	3. 1828.	4	3
„ of Benares native commissioners, execution of, ...	11	17	0	8	7. 1828.	23	
DEEDS, to be registered, ...	8	4	1	—	See Anal.		
„ relating to several districts to be registered in each, ...	8	4	2	2	36. 1793.	7	
					17. 1803.	7	
„ execution of, to be proved before registry, ...	8	4	2	6	..	9	2
					..	9	2
„ original, to be returned after registry, ...	.	.	.	8	20. 1812.	2	2
„ registry of, optional, ...	8	4	5	1,2	36. 1793.	4,5	
					17. 1803.	4,5	
„ certain registered, to invalidate others, ...	.	.	.	3	..	6	1
					..	6	1
„ of mortgage registered to invalidate others, ...	.	.	.	4	..	..	2
					..	..	2
„ prior non-registered, when to be valid above others, ...	.	.	.	5	..	..	3
					..	..	3
„ stamp duty on, *(See Appendix to Chap. 2. Analysis.)*							
„ exccuted in Chinsurah to be held valid, ...	4	2	0	2	18. 1825.	6	
DEFAULT, general definition of, in suits, ...	2	3	1	2	4. 1793.	10	
					3. 1803.	12	
„ in suits appealed, ...	12	9	9	1	5. 1793.	21	
					4. 1803.	21	
„ in suits before S. D. A.	13	5	8	1	6. 1793.	19	
					5. 1803.	19	
„ not appointing *vakeels* to be treated as, ...	7	4	2	4	27. 1814.	18	2
„ not filing exhibits to be treated as, ...	2	2	7	3	26. 1814.	12	3
DEFAULTERS, to return purchase money with interest on restoration of lands sold, ...	4	6	2	2	11. 1822.	26	
„ not discharging arrears within 24 hours, to be confined, ...	5	1	1	5	7. 1799	15	3
					5. 1800.	14	3
					28. 1803.	32	3
„ may attend on security pending summary suits, ...	5	1	2	2	19. 1817.	16	2
„ confinement or discharge of, according to decision, ...	.	.	.	3	7. 1799.	15	5
					5. 1800.	14	5
					28. 1803.	32	5
„ confined, may prosecute collectors, ...	5	7	0	6	14. 1793.	12	
„ Government giving security, to be released from arrest, ...	.	.	.	7	6. 1795.	16	
					27. 1803.	16	1
„ confined may petition the court for inquiry, ...	.	.	.	9	14. 1793.	29	
					6. 1795.	25	
					27. 1803.	32	
„ definition of, ...	10	6	4	1	17. 1793.	3	
					45. 1795.	5	
					28. 1803.	5	
„ in *putnee talooks*, power to recover posession, ...	4	9	4	3	8. 1819.	13	4
„ confined, may prosecute for unlawful arrest, ...	5	1	4	1	7. 1799.	16	
					5. 1800.	15	
					28. 1803.	33	
„ may institute suits against distraint, ...	5	3	0	1	5. 1812.	15, 16	
„ may sue regularly when unable to give security, ...	10	6	8	5	..	17	
	5	3	0	2			
„ confinement of, for public revenue, ...	5	7	—	—	14. 1793.	5	
					6. 1795.	11	
					27. 1803.	11	
„ not to purchase at sales of distrained property, ...	10	6	9	6	14. 1793.	25	
					45. 1795.	23	
					28. 1803.	23	
„ *See Arrest, Distraint, Arrears, Confinement, Sales.*							
DEFENDANTS, notice to, in regular suits, ...	2	2	2	1,2	2. 1806.	2	1,2
„ ditto when residing in another district, ...	.	.	.	3	..	..	3
„ not forthcoming rules for proclamation, ...	.	.	.	4	..	3	

	Analysis. Chap.	Sec.	Cl.	Rule	Authority. Reg.	Sec.	Cl.
DEFENDANTS, to manage their property when attached, ...	2	2	4	2	6. 1806.	5	2
,, not denying plaints, such to be taken as true, ...	2	2	6	2	4. 1793.	4	
					3. 1803.	4	
,, not appearing, trial of suits *exparte*, ...	2	2	2	4	2. 1806.	3	
,, in summary suits on indigo engagements, summons of, ...	5	5	0	2	6. 1821.	3	2
,, ,, not to be confined, ...	.	.	.	8	..	..	8
,, in suits of paupers, liable to pay what fees, ...	3	3	1	16,17	28. 1814.	10	1, 2
,, rules for, when pleading *in formâ pauperis*, ...	3	3	3	1, 2	..	16	1, 2
,, in suits before *moonsiffs* to take copy of plaint, ...	10	2	8	1	23. 1814.	24	
,, ,, to insert no abusive matter in answers, ...	.	.	.	2	..	25	1
,, not to impugn judgments of *moonsiffs* in suits *de novo*, ...	10	2	14	6	..	45	5
,, in *lakhiraj* suits before collectors, rules for, ...	11	9	1	3	2. 1819.	30	3
,, objecting to calculation of claims, rules, ...	12	3	0	6	13. 1808.	5	
,, *See Notice, Exparte, Debtors.*							
DELHI, city of, declared beyond the jurisdiction of courts, ...	1	1	4	1	8. 1805.	4	
	1	3	1	1			
DEPENDANTS of judges, guilty of corruption or extortion, penalty, ...	1	5	10	1	13. 1793.	11	
					12. 1803.	14	
DEPOSIT, of money to redeem conditional sales, ...	4	4	0	1	1. 1798.	2	
					34. 1803.	12	
,, of *vakeels'* fees in suits, rules for, *(See Fees.)*	7	6	1	—	27. 1814.	23, 24	1
,, ,, to be made in courts trying appeals, ...	12	9	6	1	26. 1814.	8	4
DEPOSITIONS of witnesses, rules for taking by *moonsiffs*, ...	10	2	10	16	23. 1814.	18	2
,, *(See Witnesses.)*							
DEPUTATIONS of registers on local inquiries, rules for, *(See registers.)*	8	1	7	4	11. 1824.	2	
DEYRA DOON, the territory of, annexed to *zillah* Seharunpoor, ...	1	1	4	1	4. 1817.	2	
,, suits relating to, cognizable from what date, ...	2	1	2	9	4. 1817.	3	
DIET allowance for confined debtors, rules concerning, ...	2	3	4	2	4. 1793.	8	
					3. 1803.	10	
,, chargeable to defts. with costs of suit, ...	.	.	.	3	2. 1806.	12	
DISPOSSESSION, summary suits against, rules for, ...	5	4	0	2	49. 1793.	3	
					32. 1803.	3	
,, to incur forfeiture, if accompanied with homicide, ...	.	.	.	3	..	4	
					..	4	
,, penalty in such cases, claimant not being present, ...	.	.	.	4	..	5	
					..	5	
,, suits against, before collectors, rules, ...	11	10	7	4	7. 1822.	14	4
,, definition of acts of dispossession, ...	.	.	.	5	..	..	5
DISTRAINED PROPERTY, commission to sell, rules, ...	10	6	1	1	35. 1795.	8	
					45. 1795.	27	
					28. 1803.	27	3, 4
,, ,, claims to, by others than tenants themselves, ...	10	6	7	2	7. 1799.	9	
					28. 1803.	17	2
,, ,, penalty for removal of, ...	10	6	5	6	17. 1793.	18	
					45. 1795.	16	
					28. 1803.	16	
,, ,, not to be taken out of the *pergunnah*, ...	10	6	7	5	..	13	
					..	11	
,, ,, to be appraised before sale, ...	10	6	8	8	..	11	
					5. 1812.	18	
,, ,, samples of, to be exposed at sales, ...	10	6	9	1	12. 1793.	22	
					45. 1795.	20	
					28. 1803.	20	1
,, cattle not to be worked, ...	10	6	7	6	..	14	
					..	12	
,, property, rules for the sale of, *(See Sale.)*	10	6	9	—	..	12	
					See Anal.		
DISTRAINERS, to serve notice of arrears on defaulters, ...	10	6	5	1	7. 1799.	4	
					45. 1795.	8	
					28. 1803.	8	
,, to serve defaulters with a *jumma wasil baky*, ...	.	.	.	2	5. 1812.	13	
,, authority of, to search houses under restrictions, ...	10	6	6	1	17. 1793.	21	
					45. 1795.	19	
					28. 1803.	19	
,, may search *zenanas* in presence of the police, ...	.	.	.	2	7. 1799.	10	
					28. 1803.	19	2
,, to make good property lost in distraint, ...	10	6	7	7	17. 1793.	15	
					45. 1795.	13	
					28. 1803.	13	

	Analysis Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
DISTRAINERS, penalty for distraining for more than the arrears, ...	10	6	7	8	17. 1793. / 45. 1795. / 28. 1803.	16 / 14 / 14	
„ to forward an inventory of the property attached to the *moonsiff*, ...	10	6	8	1	7. 1799. / 28. 1803.	4 / 8	
„ period for, to apply to *moonsiffs* for sale of property, ...	.	.	.	2	35. 1795. / 45. 1795. / 28. 1803.	5 / 20 / 20	
„ right to distrain on breach of security, ...	.	.	.	3	5. 1812	15	
„ penalty for purchasing distrained property, ...	10	6	9	4	17. 1793. / 45. 1795. / 28. 1803.	24 / 22 / 22	
DISTRAINT, summary suits against, ...	5 / 10	3 / 6	0 / 8	1 / 3, 4	5. 1812.	15, 16	
„ authority to enforce in whom vested, ...	10	6	2	1	17. 1793. / 45. 1795. / 28. 1803.	2 / 2 / 2	
„ may issue against Government defaulters in certain cases, ...	.	.	.	5	1. 1801.	4	
„ being enforced contrary to the regulations, penalty, ...	10	6	3	3	17. 1793. / 45. 1795. / 28. 1803.	8 / 8 / 8	
„ rules for serving upon sureties, ...	10	6	4	1	.. / .. / ..	3 / 5 / 5	
„ *See Arrears, Attachment, Defaulters, Sales.*							
DOAB, civil courts established in the *zillahs* of the, ...	1	1	4	1	8. 1805.	5	
„ suits in the courts of the, cognizable from what date, ...	2	1	2	5	..	6	2
„ *lakhiraj* grants within the, confirmed from what date, ...	4	5	1	1	14. 1825.	2	3
DOCUMENTS filed in suits to be numbered according to the register of proceedings, ...	6	2	0	4	18. 1793. / 13. 1803.	5 / 5	
DURKHASTS, to be filed with exhibits on stampt paper, ...	2	2	7	5	1. 1814.	15, 16	
„ not required with *vakalutnamahs, &c.*	.	.	.	7*	26. 1814.	24	
„ one with exhibits sufficient, ...	.	.	.	6	..	22	
DUTCH deeds executed in Chinsurah, to be held valid, ...	4	2	0	2	18. 1825.	6	
„ fiscal or law officer attached to the Z. C. at Hooghly.	6	7	0	1	..	9	1
E.							
EMBEZZLEMENT, by native officers of courts, summary inquiry into, ...	1	11	0	1	18. 1817.	7	2
„ P. C. to try charges for, against its own officers, ...	12	13	3	1	..	..	..
„ being proved, amount to be refunded by the court, ...	5	11	0	7	8. 1827.	6	
ENGAGEMENTS of *molunghees*, &c. when to be void and null, ...	3	2	6	2	10. 1819.	8	
„ for indigo crops, accidental breach of, penalty for, ...	5	5	0	14	6. 1823.	5	4
„ between many persons not objectionable, ...	.	.	.	17	..	8	
EUROPEAN OFFICERS, charges against, for corruption, trial of, ...	11	4	1	—	17. 1813.		
„ suspension and salary of, pending trial, ...	11	4	4	1	..	8	
EUROPEANS amenable to civil courts if not British subjects, ...	1	3	2	2	28. 1793. / 24. 1795. / 18. 1803.	8 / 2 / 6	
„ dying intestate, charge of property, ...	4	11	0	2	15. 1806.	6	
„ forbidden to hold lands without sanction of Gov. Gen. in C.	4	13	0	1	38. 1793. / 48. 1795. / 19. 1803.	3 / 3 / 3	
„ may take mortgages for, but not hold lands, ...	.	.	.	2	.. / .. / .. / ..	4 / 4 / 4 / 5	
„ lands of, to be measured when holding such by sanction, ...	.	.	.	3	.. / .. / ..	5 / 5 / 5	
„ suits concerning, may be tried by *sudder aumeens*, ...	9	4	4	3	4. 1827.	2	2
EVIDENCE, only to be taken to points recorded by courts, ...	2	2	7	4	26. 1814.	10	2,3,4
„ *See Witnesses.*							
EXAMINATION, of native law officers, *(See Law,)*	6	4	1	4	11. 1826.	5	3, 4
„ of witnesses. *See Witnesses.*							
EXECUTION OF DECREES, *(See Decrees,)*	2	3	3	&c.	See Anal.		
EXECUTORS, to perform their duties without the interference of courts, ...	4	10	0	1	5. 1799. / 3. 1803.	2 / 16	2
EXHIBITS, to be filed after hearing the pleadings, ...	2	2	7	2	26. 1814.	10	1
to be filed with *durkhasts* on stampt paper, ...	.	.	.	5	1. 1814.	15, 16	

	Analysis. Chap.	Sec.	Cl.	Rule	Authority. Reg.	Sec.	Cl.
EXHIBITS, one *durkhast* with, sufficient, ...	2	2	2	6	26. 1814.	22	
„ rules concerning; in courts of *sudder ameens*, ...	9	5	7	—	See Anal.		
„ rules concerning, in courts of *moonsiffs*, ...	10	2	11	1	23. 1814.	38	1
„ to be numbered or marked by *moonsiffs*, ...	.	.	.	3	..	..	3
EX PARTE, trial of suits when to be, ...	2	2	2	4	2. 1806.	3	
„ in summary suits on indigo engagements, ...	5	5	6	4	6. 1821.	5	4
„ before *moonsiffs*, ...	10	2	6	1, 3	23. 1814.	21, 22	1, 3
„ by provincial courts, ...	12	4	1	4	5. 1793.	17	
					4. 1803.	17	
„ by Sudder Dawanny Adawlut, ...	12	13	4	2	6. 1793.	14, 15	
	13	5	4	2	5. 1803.	14, 15	
EXTORTION, by native officers, charge of, ...	6	5	1	—	13. 1793.	9	
					12. 1803.	12	
„ criminal actions for, ...	.	.	3	—	18. 1817.	6	2
„ criminal actions for, may be instituted before civil ones, ...	.	.	.	3	3. 1827.	4	
F.							
FARMERS, of Government resisting process of courts, penalty, ...	1	5	3	5	4. 1793.	23	
					3. 1803.	25	2
„ resisting process of collectors, penalty, ...	1	5	4	3	14. 1793.	19	
					6. 1795.	26	
					27. 1803.	26	
„ resisting process of P. C. penalty and rules, ...	12	4	2	6	5. 1793.	25	
					4. 1803.	25	
„ resisting process of S. D. A.	13	5	5	3	6. 1793.	26	
					5. 1803.	26	
„ of *abkary* duties, authorized to recover arrears, ...	5	9	2	1	7. 1824.	8	2
„ not to grant *pottahs* beyond their leases, ...	4	7	4	1	8. 1793.	59	
					30. 1803.	11	
„ *See Pottahs.*							
FEES, on the transfer of *putnee talooks*, rules, ...	4	9	2	3	8. 1819.	5	
„ such only to be taken on the tranfer of entire *talooks*, ...	.	.	.	4	..	6	
„ not to be taken by *moonsiffs* on exhibits, ...	10	2	11	1	23. 1814.	38	1
„ not to be taken in summary suits before collectors, ...	11	8	0	8	14. 1824.	8	
„ not to be taken in suits before collectors under Reg. VII. 1822, ...	11	10	3	5	7. 1822.	27	
„ not to be taken in appeals to the Board of Revenue from collectors, ...	11	10	5	2	..	29	2
„ incurred in suits to be specified in decrees, ...	2	3	2	2	27. 1814.	27	
„ to *vakeels*, rules for discharging in suits of paupers, ...	3	3	1	16, 17	28. 1814.	10	1, 2
„ „ a part of, to be returned on paupers being cast, ...	7	6	3	4	27. 1814.	28	
„ „ in appeals, when decrees to paupers are reversed, ...	3	3	2	7	28. 1814.	15	
„ „ on their being changed, rules, ...	7	4	2	2, 7	27. 1814.	18, 18	5
„ „ on more than one being employed, ...	7	4	3	1, 3	..	30	1, 3
„ „ for legal opinions, rates of, ...	7	5	0	4	..	20	4
„ „ to be forfeited for opinions encouraging litigation, ...	.	.	.	6	..	..	6
„ „ to be deposited in court previous to pleading, ...	7	6	1	1	..	23	1
„ „ need not be deposited in miscellaneous cases, ...	.	.	.	3	..	24	
„ „ rules for depositing, in regular appeals, ...	7	6	1	4			
	12	9	6	1	26. 1814.	8	4
„ „ to be deposited for special appeals, ...	12	11	3	1			
	7	6	1	5	..	2	4
„ „ need not be deposited in summary appeals, ...	12	12	2	4			
	7	6	1	6	..	3	7
„ „ in special appeals referred for re.trial, rules, ...	12	11	5	2	19. 1817.	8	
„ „ in regular suits and appeals, *rates* of, ...	7	6	2	1	27. 1814.	25	1
„ „ fractions to be rejected in calculating, ...	.	.	.	2	..	..	2
„ „ rate to be paid by parties cast, ...	7	6	3	1	..	26	1
„ „ payment of, on suits being dismissed, ...	.	.	.	2	..	..	2
„ „ such payment at the discretion of the Judge, ...	.	.	.	3	..	..	3
„ „ to be discharged immediately after decision of suits, ...	.	.	.	5	..	29	
„ „ payment of, in suits withdrawn or dismissed on default, ...	.	.	.	6	..	31	1
„ „ in suits adjusted by *razeenamah*, ...	.	.	.	7	..	..	2
„ „ in suits rejected by P. C. as cognizable by Z. or C. C.	12	3	0	7	13. 1808.	5	2
„ „ in suits rejected by Z. or C. C. as uncognizable, and instituted in P. C. ..	.	.	.	11	..	6	2
„ „ rates of, in summary suits and appeals, ...	7	6	4	1	26. 1814.	3	11
	12	12	2	8	19. 1817.	9	2
„ „ rules for payment of, in such cases, ...	7	6	4	2	26. 1814.	2	7
„ „ on petitions of special appeal being rejected, ...	.	.	.	3			
	12	11	4	2	26. 1814.	2	7
„ „ in miscellaneous cases, rates of, ...	7	6	5	1	27. 1814.	34	

	Analysis.				Authority.		
	Chap	Sec.	Cl	Rule.	Reg.	Sec.	Cl.
FEES, of *vakeels*, payment of, in such cases, ...	7	6	5	2	27. 1814.	36	
„ „ receipts to be given by *vakeels* for, ...	7	6	1	2	..	23	2
„ „ in suits appealed from *sudder aumeens* or *moonsiffs*, ...	7	6	6	1	..	46	3
	10	3	0	3	..	73	
„ „ in *moonsiffs'* courts to be privately settled, ...	10	2	2	4	23. 1814	15	4
„ of registers changed to salary, ...	8	1	1	4	2. 1821	13	
„ for registering deeds, rules for, ...	8	4	6	1	36. 1793	14	
					17. 1803.	14	
					20. 1802.	4	
„ „ English account of, to be kept, ...	.	.	.	2	20. 1812.	8	
„ „ to be received by substitutes, but not by judges, ...	.	.	.	6	4. 1824.	7	
„ to agents in *lakhiraj* land cases before collectors, ...	11	9	1	8	7. 1822.	25	
					9. 1825.	5	9
„ of institution to be returned in certain cases, ...	12	3	0	7	13. 1808	5	2
„ of *vakeels* before the superintendent of Cuttack, ...	11	1	1	10	11. 1816	11	
„ of *vakeels* in revenue cases transmitted to commissioners, ...	11	15	2	4	3. 1828.	2	7
FEMALE paupers of rank may present petitions by *vakeels*, ...	3	3	1	3	28. 1814.	5	
„ witnesses of rank, rules for examining, ...	2	2	8	1	4. 1793.	6	
					3. 1803.	7	
„ defts. of rank, process against, ...	2	2	5	1	..	13	
					..	15	
FINDERS of hidden treasure, rules for possession, *(See Treasure,)*	5	15	0	1	5. 1817.	3	
FINES for contraband salt, commutable to imprisonment, ...	1	5	9	10	10. 1819.	110	
„ „ when realized to be remitted to salt agents, ...	.	.	.	7	..	118	
„ for contempt of court, ...	1	5	6	1	4. 1793.	21	
					3. 1803.	22	
„ „ commutable to imprisonment, ...	.	.	.	2	12. 1825.	6	1
„ „ may be imposed by *moonsiffs*, ...	10	2	12	1	23. 1814.	42	
„ for purchases at auction under fictitious names, ...	4	6	3	1, 2	11. 1822.	28	2
„ suits for, cognizable within one year, ...	2	1	2	20	2. 1805.	6	
„ for filing pleadings contrary to rules, ...	2	2	6	9	26. 1814.	5	3
„ for not filing exhibits in proper time, ...	2	2	7	3	..	12	3
„ for witnesses not attending or refusing to give evidence, ...	2	2	8	1	4. 1793.	6	
					3. 1803.	7	
„ on native officers withholding accounts, ...	5	11	0	3	18. 1817.	7	4
„ for refusing to grant *pottahs* to *ryots*, ...	4	7	4	1	8. 1793.	59	
					51. 1795.	7	
					30. 1803.	11	
„ for improper plaints in suits against sepoys, ...	3	4	2	2	15. 1816.	4	2
„ on *vakeels* absent without notice, ...	7	2	2	2	27. 1814.	14	1
„ „ for disrespect to the court, ...	.	.	.	3	..	..	2
„ „ by *sudder aumeens* to be reported to the judge, ...	.	.	.	4	..	15	1
„ „ when conclusive, and rules for levying, ...	.	.	.	5	..	..	2
„ generally by *sudder aumeens* to be reported to the judge, ...	9	8	0	1	23. 1814.	74	
„ on *moonsiffs* for misconduct not to be above 20 Rs.	10	1	2	6	..	9	3
„ „ for incorrectly endorsing decrees, ...	10	2	13	2	..	41	2
„ imposed by Z. or C. C. may be realized through *moonsiffs*, ...	10	5	0	6	..	52	
„ for resistance to process of superintendent of Cuttack, ...	11	1	1	7	11. 1816.	7	
„ for false charges against European officers, ...	11	4	11	1	8. 1825.	5	1
„ on witnesses not obeying summonses by *moonsiffs*, ...	10	2	10	8	23. 1814.	31	2
„ „ refusing to give evidence before *moonsiffs*, ...	10	2	10	9	23. 1814.	31	3
„ for resisting process of collectors, in cases for *lakhiraj* lands, ...	11	9	1	15	2. 1819.	14	
„ in resisting process of collectors in suits under Reg. VII. 1822, ...	11	10	3	9	7. 1822.	24	2
„ for a second institution of a suit decided, ...	12	3	0	3	19. 1817.	3	2
„ for resistance to process of P. C.	12	4	2	7	5. 1793.	26	
					4. 1803.	26	
„ for litigious summary appeals, ...	12	12	2	7	26. 1814.	3	10
„ for litigious appeals to S. D. A.	13	3	0	10	13. 1796.	3	
					5. 1803.	12	
„ for resistance to process of S. D. A.	13	5	5	4	6. 1793.	27	
					5. 1803.	27	
„ for not giving notice of succession to *lakhiraj* lands, ...	11	9	4	1	3. 1828.	11	1
FISCAL, DUTCH, to be attached to the Z. C. of Hoogly, ...	6	7	0	1	18. 1825.	9	1
„ „ to translate Dutch papers in suits, ...	.	.	.	2	..	..	2
„ „ opinion of, to remain in suits, ...	.	.	.	3	..	..	3
„ „ to be a *sudder aumeen ex officio*, ...	9	1	0	3	..	..	4
FORFEITURE of lands for resistance of process to be confirmed by the Gov. Gen. in C. *(See Process,)* ..	1	5	3	1	9. 1799.	3	
					3. 1803.	23	
FULTA, Dutch factory of, attached to *zillah* 24-Pergunnahs, ...	1	1	1	4	18. 1825.	2	2

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
Furloughs *of sepoys*, may be extended by the judge on certain occasions, ...	3	4	3	5	15. 1816.	7	2
Furruckabad, Nuwab of, not amenable to courts, ...	1	3	2	1	2. 1803.	8	
Futtipore, *sillah* court established in, ...	1	1	3	2	6. 1825.	2	
Futwa of native law, rule in case the judge doubt its correctness. *(See Law Officers,)*	2	2	9	4	2. 1798.	4	
					3. 1803.	16	1
„ *See Law Officers.*							
G.							
Garrow mountaineers. *See Commissioner.*							
Ghautwaly tenures, not liable to enhancement of rent, ...	4	8	0	1	29. 1814.	2	
„ liable to sale and transfer on the orders of Gov. Gen. C.	.	.	.	2	..	5	
„ what revenue in, to go to the *semindars*, ...	.	.	.	3	..	4	
Gobberdhun, *pergunnah* of, attached to *sillah* Agra, ...	1	1	4	1	2. 1818.	2	
„ suits cognizable in, from what time, ...	2	1	2	11	..	3	
Gomashtas refusing to file accounts before collectors, ...	11	9	1	11	2. 1819.	12	
Gorukhpoor, attached to P. C. of Patna, ...	12	1	1	5	17. 1825.	2	
Government, civil claims on the part of, cognizable from what time, ...	2	1	2	13	2. 1805.	2	2
„ obligations to be taken as security, ...	2	2	4	5	2. 1806.	8	
„ to satisfy decrees for lands attached by the express order of, ...	2	2	5	7	3. 1818.	10	3
Governor General in Council, to appoint acting judges, ...	1	2	4	2	4. 1796.	3	
					4. 1793.	23	
„ may confer forfeited lands on heirs or others, ...	1	5	3	4	8. 1795.	6	2
					3. 1803.	24	
„ to declare whether native servants have been incapacitated by misconduct, ..	1	5	10	1	13. 1793.	11	
					12. 1803.	14	
„ to decide the competency of authorities resuming *lakhiraj* lands, ...	4	5	7	1	14. 1825.	3	9
„ may order sales to be made with restrictions, ...	4	6	5	3	11. 1822.	31	
„ to decide the competency of former Dutch courts, ...	2	1	1	2	18. 1825.	5	
„ may order the sale *of ghautwaly* tenures for arrears, ...	4	8	0	2	29. 1814.	5	
„ may attach lands without judicial proceedings, ...	4	14	0	1	3. 1818.	2	
„ may confirm lands to *canoongoes*, ...	4	16	0	1	13. 1825.	2	
„ may abolish ministerial offices in courts, ...	6	1	1	8	5. 1804.	24	
„ may remove native officers of courts, ...	.	.	.	9	6. 1809.	13	
„ may alter salaries of native officers	6	1	4	4	5. 1804.	23	
„ to appoint law officers of P. C. and Z. and C. C., ...	6	4	2	2	11. 1826.	4	1
„ to sanction appointments of law officers to S. D. A., ...	.	.	.	3	..	3	
„ to dismiss or suspend such for corruption, ...	6	5	2	7	12. 1793.	8	7
					11. 1803.	8	7
„ to decide whether officers guilty of corruption are incapacitated for service, ..	6	5	3	2	18. 1817.	6	3
„ to appoint the *kazy wol huzaut*, ...	6	6	1	1	39. 1793.	2	1
					18. 1803.	2	1
„ may abolish situations of *kazies*, ...	6	6	2	2	..	3	2
					..	3	2
„ to appoint a fiscal at the court of Hooghly, ...	6	7	0	1	18. 1825.	9	1
„ to appoint Government *vakeels* in courts, ...	7	1	2	3	8. 1816.	7	3
„ may vest registers with extra powers, ...	8	1	4	2	24. 1814.	9	3
				6	9. 1819.	8	1
„ may appoint additional registers, ...	8	2	1	1	24. 1814.	12	2
„ may station registers separate from courts, ...	.	.	.	2	..	..	3
„ may vest registers with original powers, ...	.	.	.	4, 5	..	..	7, 8
„ and with powers over the whole jurisdiction, ...	.	.	.	10	3. 1824.	2	1
„ to direct forms of trial before the commissioner of Cuttack, ...	11	3	0	7	10. 1822.	9	
„ to appoint commissioners for trial of European officers, ...	11	4	3	1	17. 1813.	6	2
„ to direct authorities to superintend such trials, ...	11	4	3	3	8. 1817.	2	
„ to appoint place for holding such commissions, ...	.	.	.	7	17. 1813.	6	2
„ to suspend officers pending inquiry at discretion, ...	11	4	4	1	..	8	
„ to determine the conduct of such charges, ...	11	4	5	1	..	9	
„ to decide on report of the commission, ...	11	4	9	1	..	15	
„ to decide as to the expenses of prosecution, ...	11	4	10	1	..	16	
„ to appoint members of special commission, ...	11	5	1	1	1. 1821.	2	
„ to direct the jurisdiction of ditto, ...	11	5	1	2		3	1
„ to sanction compensations above 1000 Rs. by ditto, ...	11	5	3	2	..	5	2
„ to appoint members of the *sudder* commission, ...	.	.	.	14	..	4	2
„ to appoint extra members to settle differences of opinion, ...	11	6	1	2	..	10	2
„ to sanction fines above 500 Rs. for resisting process of collectors, ...	11	6	3	1	..	..	3
„ may empower collectors settling *mahals* to try claims, ...	11	9	1	15	2. 1814.	14	
„ may in such cases give authority to try summary cases, and others generally, ..	11	10	1	2	7. 1822.	16	
	.	.	.	7	7. 1822.	30	1
					9. 1829.	3	

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
GOVERNOR GENERAL IN COUNCIL, may employ the S. R. L. A. to conduct Government suits, ...	11	14	0	2	8. 1816.	3	
„ may appoint any number of judges to P. C.	12	2	1	2	1. 1826.	2	
„ may convert decrees of forfeiture by P. C. into fines, ...	12	4	2	1	5. 1793.	23	
					4. 1803.	23	
„ may confer lands forfeited by decrees of P. C. on heirs, ...	.	.	.	4	..	24	
					..	24	
„ or in the province of Benares on the principal *putteedars*, ...	.	.	.	5	9. 1795.	9	
„ to appoint judges of S. D. A. as may be required, ...	13	1	1	1	12. 1811.	2	
„ may commute decrees of forfeiture by S. D. A. to fines, ...	13	5	5	1	6. 1793.	24	
					5. 1803.	24	
„ may bestow lands so forfeited on heirs or others, ...	.	.	.	2	..	25	
					..	25	
„ to sanction decrees of forfeiture before enforcement, ...	1	5	3	1	9. 1799.	3	
	12	4	2	2	4. 1803.	23	2
	13	5	5	1	3. 1803.	23	1
					5. 1803.	24	
„ to adopt or reject regulations proposed, ...	4	18	4	1	23. 1793.	15	
					9. 1803.	15	
„ may appoint a commission, to try cases according to Reg. VIII. 1819, ...	11	15	1	1	3. 1828.	2	1
„ may invest such commissioners with the power of the B. of Revenue, ...	.	.	2	5	..	3	
„ to name second commissioners for reference, ...	.	.	6	2	..	4	6
„ to appoint superintendent in the Benares *Raj mahals*, ...	11	16	0	1	7. 1828.	3	
„ may supersede orders of the superintendent, ...	.	.	.	8	..	24	
GRANTS of *lakhiraj* lands to be strictly examined, ...	4	5	2	1	2. 1819.	28	1
„ not to be received, unless duly registered, ...	.	.	.	2	..	..	2
„ date and period for registering, ...	.	.	.	.	19. 1793.	27	
					41. 1795.	27	
					31. 1803.	22	
„ *badshahy*, rules for registering, ...	.	.	.	.	37. 1793.	22	
					42. 1795.	22	
					36. 1803.	22	
„ power to confer, ...	4	5	3	1	14. 1825.	2	
„ native potentates competent to grant, ...	4	5	5	1	..	3	5
„ conditions of validity of, ...	.	.	.	2	..	..	6
„ conditions of validity if not given by potentates, ...	4	5	6	1	..	..	8
„ fraudulent, to incur prosecution, ...	4	5	11	1	19. 1793.	18	
					41. 1795.	18	
					31. 1803.	13	
GUARDIANS, appointment of, to disqualified heirs, ...	5	13	2	1	1. 1800.	1	
					8. 1805.	29	e
„ persons to be selected as, ...	.	.	.	2	..	2	
					..	29	9
„ compensation to, if not one of the family, ...	.	.	.	3	..	3	
					..	29	10
„ forms and conditions of appointment, ...	.	.	.	4	..	4	
					..	29	11
„ duties of, ...	.	.	.	5	..	5	
					..	29	12

H.

HEIRS, to *lakhiraj* life tenures, not to have possession, ...	4	5	13	3	19. 1793.	2	4
					41. 1795.	2	4
					31. 1803.	2	5
„ being disqualified, appointment of guardians, ...	5	13	2	1	1. 1800.	1	
					8. 1805.	29	8
„ to inherit without interference of courts, ...	4	10	0	2	5. 1799.	3	
					3. 1803.	16	3
„ rules for possession of lands in disputes of, ...	.	.	.	3,4,5	..	See Anal	
					..		
„ of landholders, power to distrain, ...	10	6	2	3,4	45. 1795.	28	
					7. 1799.	19	
					28. 1803.	28	
„ „ may be vested with lands forfeited, ...	1	5	3	1	9. 1799.	3	
					3. 1803.	23	1
HOLIDAYS, adjournment of Z. and C. C. during, ...	1	2	3	1	3. 1798.	2	
					8. 1805.	13	
					1. 1806.	10	
" adjournments of P. C. for, ...	12	2	4	1	3. 1798.	10	
					8. 1805.	13	

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
HOLIDAYS, adjournments for, may be dispensed with by S. D. A.	13	15	0	3	1. 1806.	10	
„ may or may not be observed by S. D. A.	.	.	.	2	3. 1798.	3	
HOMICIDE attending affrays, to incur forfeiture of right to lands,	5	4	0	3	19. 1793	4	
					32. 1803.	4	
HOOGHLY, *zillah* court established in,	1	1	1	3	36. 1795.	7	
HOUSES, search of, in distraining, rules for,	10	6	6	4	17. 1793.	21	
					45. 1795.	19	
					28. 1803.	19	1
I.							
IMPRISONMENT, fines for contempt of court commutable to,	1	5	6	2	12. 1825.	6	1
„ fines for contraband salt commutable to.	1	5	9	10	10. 1819.	110	
„ of *paupers* failing to pay costs,	3	3	1	18	28. 1814.	11	1
„ of persons resisting attachment for arrears.	10	6	5	7	17. 1793.	19	
					45. 1795.	17	
					28. 1803.	17	1
„ for illegally searching *zenanas* in distraining,	10	6	6	1	..	21	
					..	19	
					..	19	1
„ for false charges against European officers,	11	4	11	1	8. 1825.	5	1
„ *See Confinement.*							
INHERITANCE, in *lakhiraj* tenures, to depend on the terms of grant,	4	5	4	4	14. 1825.	3	4
„ general laws of,	4	12	—	—	See Anal.		
„ of single heirs in certain districts,	4	12	0	3	10. 1800.	2	
„ rules for, in certain *mahals* of Cuttack,	11	1	1	3	11. 1816.	3	
„ questions concerning to be referred to law officers,	2	2	9	1	4. 1793.	15	
					3. 1803.	16	
INSTALMENTS, satisfaction of decrees by, rules for,	2	3	4	5	2. 1806.	10	
INTEREST, legal rates of, in Bengal, Behar, and Orissa,	4	1	1	—	15. 1793.	2	1, 3 v A.
„ „ in Benares,	4	1	2	—	17. 1806.	3	
„ „ in the C. C. P.	4	1	3	—	31. 1803.	2	
					8. 1805.	23	
„ „ in Cuttack,	4	1	4	—	14. 1805.	9	2
„ lower rates of, to be decreed when stipulated between parties,	4	1	5	1	15. 1793.	5	
					24. 1803.	4	
„ never to be decreed above the amount of principal,	.	.	.	2	..	6	
					..	5	
„ compound, not to be decreed, with exception,	.	.	.	3	..	7	
					..	6	
„ none to be decreed when illegal rates are stipulated,	.	.	.	4	..	8	
					..	7	
„ deduction of principal on account of, in suits, penalty,	.	.	.	5	..	9	
					..	8	
„ exception for Benares,	.	.	.	6	17. 1806.	5	
„ may be awarded by S. D. A. from date of decrees,	13	5	9	2	13. 1796.	3	
					5. 1803.	12	
INDIGO, summary suits on engagements for, rules,	5	5	0	1	6. 1823.	3	1
„ engagements registered to be valid before others,	8	4	0	6	20. 1812.	3	3
„ crops ripening during suits, rules for,	5	5	0	9	6. 1823.	5	9
INVALIDS, disputes concerning tenures of,	1	4	0	5	1. 1804.	9	7
	3	7	0	1			
„ when struck off the list not to be allowed to complain,	3	7	0	3	..	18	
„ adjustments by collectors concerning, to guide courts,	.	.	.	4	11. 1818.	4	
„ contracts for pensions of, rules concerning,	.	.	.	5	13. 1814.	3	
J.							
JAGHEERS, to be considered as tenures for life,	4	5	12	—	37. 1793.	15	
					42 1793.	15	
					36. 1803.	15	
„ Reg. VII. 1822, extended to,	11	10	1	4	9. 1825.	2	1
„ when to be considered hereditary,	4	5	12	2	3. 1828.	12	
JUDGES of Z. and C. C. oath to be taken by,	1	2	1	1	3. 1793.	3	
					7. 1795.	3	
					2. 1803.	13	
„ „ to report date of departure on obtaining leave of absence,	1	2	4	3	4. 1796.	4	
„ „ not to leave stations without permission,	.	.	.	1	..	2	
„ „ may recommend P. C. to admit special appeals,	1	7	2	3	9. 1819.	3	1
„ „ competent to revise their own decisions, rules,	1	8	1	1	26. 1814.	4	2

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
JUDGES of Z. or C. C. may employ registers in signing and issuing order, ...	1	9	1	8	24. 1814.	11	1
	2 & 3	1	7	1			
„ „ may depute registers into the district, ...	2 & 3	1	7	4	11. 1824.	2	
	2	2	10	10			
„ „ to settle the payment of expenses on such occasions, ...	2 & 3	1	7	4	..	3	
	2	2	10	13			
„ „ may recall or transfer suits from inferior courts, ...	1	9	3	1	24. 1814.	10	
					3. 1793.	19	
„ „ prohibited corresponding with parties in suits, ...	1	10	0	1	7. 1795.	11	
					2. 1803.	20	
	12	4	1	2	5. 1793.	16	
„ „ to make return to processes of P. C. by the time prescribed, ...	1	11	0	1	4. 1803.	16	
„ „ liable to suspension for disobedience or false returns to orders, ...	1	11	0	2	..	15	
	12	4	1	1	..	15	
„ „ may object to execute orders appearing illegal, ...	1	11	0	3	10. 1796.	2	
					22. 1803.	2	
					13. 1808.	9	
„ „ may be instructed to take depositions for higher courts, ...	1	11	0	4	24. 1814.	11	1
„ „ or registers to take such depositions in person, ...	.	.	.	..	19. 1817.	11	
„ „ to report all cases of compulsion on *molunghees*, &c.	3	2	6	3	10. 1819.	9	
„ „ to use discretion in serving notices in certain cases, ...	2	2	2	3	2. 1806.	2	3
„ „ to give orders respecting security before *sudder aumeens*, ...	2	2	4	6	23. 1814.	23, 73	
					2. 1798.	4	
„ „ may consult law officers of P. C. when doubting the correctness of *futwas*, ..	2	2	9	4	3. 1803.	16	1
„ „ to report to Government all deputations of registers, ...	2	2	10	11	11. 1824.	4	
„ „ also to the P. C. A. of the division, ...	.	.	.	12	..	5	
					1. 1794.	13	
„ „ may refer matters of rent for adjustment to collectors, ...	.	.	.	14	54. 1795.	2	
					7. 1803.	2	
					8. 1800.	15	
„ „ may require registers of lands from collectors, ...	.	.	.	15	42. 1803.	26	3
„ „ when no rules exist to be guided by equity, ...	2	3	1	5	3. 1793.	21	
					2. 1803.	17	
					11. 1793.	5	
„ „ to confine Government defaulters till arrears be paid, ...	5	7	0	3	6. 1795.	11	
					27. 1803.	11	
					..	29	
„ „ to make inquiry on petitions of confined defaulters, ...	.	.	.	9	..	25	
					..	32	
„ „ rules for proceeding on landholders being reported disqualified, ...	5	13	1	2	10. 1793.	5	3
					52. 1803.	9	3
„ „ ditto on petitions of minors against such orders, ...	.	.	.	1	..	..	2
					..	..	2
					1. 1800.	1	
„ „ to appoint guardians to disqualified heirs, ...	5	13	2	1	8. 1805.	29	8
„ „ to appoint managers to disputed joint estates, ...	5	14	0	1	5. 1812.	26	
„ „ may extend furlough of *sepoys* for conduct of suits, ...	3	4	3	5	15. 1816.	7	2
„ „ to send abstract of suits of native princes to Government, ...	3	5	1	4	4. 1816.	4	
„ „ to report to Government when the Nazim of Bengal delays satisfying decrees, ...	3	5	2	3	19. 1825.	4	
					5. 1799.	7	
„ „ to preserve and advertize unclaimed property, ...	4	11	0	1	3. 1803.	16	7
„ „ to enforce orders of salt agents on certain convictions, ...	1	12	0	2	10. 1819.	111	
„ „ to attest the list of revenue records and accounts, ...	1	13	0	1	21. 1793.	4	
„ „ to attest quinquennial registers, ...	.	.	.	2	18. 1793.	16	
„ „ to make temporary appointments of native officers, ...	6	1	1	2	8. 1809.	7	2
„ „ to propose successors to native officers, ...	6	1	0	5	5. 1804.	9	
„ „ to appoint native officers of salaries under 10 Rs.	.	.	.	7	..	14	
„ „ not to employ native creditors, ...	6	1	2	1	21. 1814.	2, 3	
„ „ to prevent exactions on pretence of *tulubaneh*, ...	.	.	.	4	26. 1814.	14	9
					39. 1793.	6	2
„ „ to report misconduct of *kazies*, ...	6	6	3	1	46. 1803.	6	2
					..	9	
„ „ to report proper stations for *kazies*, ...	6	6	4	1	..	9	
„ „ to report misconduct of *vakeels* to P. C. A.	7	2	3	2	27. 1814.	10	2
„ „ may suspend *vakeels* pending such reports, ...	.	.	.	3	..	11	
					4. 1796	5	
„ „ duties of registers on the death of, ...	8	1	2	1	13. 1803.	16	
„ „ to authorize trial of suits by additional registers, ...	8	2	1	8	2. 1821.	11	3
„ „ to assist in executing processes of ditto, ...	8	2	2	2	21. 1814.	12	5

		Analysis.				Authority.		
		Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
Judges of Z. or C. C.	to report misconduct of registers and assistants to S. D. A.	8	2	5	2	13. 1793.	10	
						12. 1803.	13	
" "	to appoint a substitute for registering deeds,	8	4	7	2,3	2. 1824.	3,4	
" "	to register deeds when there is no qualified person,	.	.	.	4	..	5	
" "	to sign registry books,	8	4	8	1	20. 1812.	6	2
" "	to report neglect of registers in registering deeds,	.	.	.	2	..	..	3
" "	authority of, to punish *sudder aumeens*,	9	3	0	1	23. 1814.	67	
" "	may order *sudder aumeens* to be reimbursed for investigations,	9	9	8	3	..	26	5
" "	to arrange the establishment of *moonsiffs*,	10	1	1	1	23. 1814.	6	1
" "	to report cause for removing *moonsiffs*,	10	1	2	4	..	9	1
" "	may suspend *moonsiffs* guilty of gross misconduct,	.	.	.	5	..	..	2
" "	to inspect books of *moonsiffs* during vacations,	10	2	4	2	..	18	
" "	may direct *moonsiffs* to try any suits before others,	10	2	9	1	..	26	
" "	to confirm or reverse fines imposed by *moonsiffs*,	10	2	10	9	..	31	3
" "	may recommend persons to appeal from *moonsiffs*,	10	2	14	7	..	45	6
" "	rule for executing decrees of *moonsiffs*,	.	.	.	4	..	..	3
" "	not to employ *moonsiffs* to the injury of suits,	9	5	0	8	..	54	
						35. 1795.	8	
" "	to grant commissions for selling distrained property,	10	6	1	1,3	15. 1795.	27	
						28. 1803.	27, 30	
						7. 1799.	6	
" "	empowered to propose new regulations,	4	18	1	1	20. 1793.	2	
						9. 1803.	2	
Judges of Cities	to give similar commissions,	10	6	1	4	7. 1799.	8	
Judges of Z. or C. C.	to forward charges against European officers to the proper authority,	11	4	2	4	17. 1813.	5	2
" "	to enforce summary decrees of collectors,	11	8	0	5	14. 1824.	5	
" "	to execute decrees of collectors in certain cases,	11	9	2	4	2. 1819.	30	10
" of provincial courts	oath to be taken by,	12	1	1	3	5. 1793.	2	
						4. 1803.	2	
" "	any number of, may be appointed by Gov. Gen. in C.	12	1	1	2	1. 1826.	2	2
" "	leave of absence to, rules for obtaining,	12	2	5	1	2. 1801.	15	
" "	two necessary to form a court of appeal,	12	2	2	3	47. 1793.	3	
						15. 1803.	3	
" "	*single* may hold a court on what occasions,	.	.	.	4,5	13. 1810.	2	2
						25. 1814.	6,7	
" "	" decisions of, to have effect,	12	2	6	1	13. 1810.	3	
" "	" may perfect interlocutory decrees,	.	.	.	2	..	4	2
" "	" may pass orders in suits pending,	.	.	.	3	..	..	4
" "	" may commit persons for perjury,	.	.	.	4	..	..	5
" "	" may execute orders of S. D. A. and receive petitions of appeal,	.	.	.	5	1. 1807.	4	1
" "	" may authenticate securities, &c.	.	.	.	6	..	..	4
" "	" may execute decrees of the court,	.	.	.	7	..	..	2
" "	" to prepare suits for trial,	.	.	.	8	..	..	6
" "	" may conduct the correspondence of the court,	.	.	.	9	..	..	7
" "	" orders of, to be as orders of the court,	.	.	.	10	..	5	
" "	" may sanction appointment of native officers,	.	.	.	12	25. 1814.	10	1
" "	" may suspend native officers of the P. C.	.	.	.	13	..	..	2
" "	" may admit or reject appeals,	.	.	.	14	13. 1810.	4	8
" "	" may pass orders on securities in appeals,	.	.	.	15	1. 1807.	4	3
" "	" may receive miscellaneous petitions,	.	.	.	17	13. 1810.	4	4
" "	" thinking judgments should be reversed, rule,	12	2	7	1	..	2	3
" "	" to forward papers to a second judge in such cases,	.	.	.	2	25. 1814.	8	
" "	two necessary to admit special appeals,	12	2	6	16	9. 1819.	5	
		12	10	2	1			
" "	rule for difference of opinion in appeals,	12	2	8	1	..	9	2
" "	ditto, in original suits,	.	.	.	2	..	..	3
" "	ditto, in miscellaneous suits,	.	.	.	3	..	..	4
" "	senior, to have a casting vote,	.	.	.	4	..	..	5
" "	going on circuit may take depositions,	12	5	3	6	13. 1808.	10	
" "	prohibited corresponding with parties, or with other judges in suits,	12	7	0	1	5. 1793.	9	
						4. 1803.	9	
" "	not to try appeals from their own orders,	12	9	10	1	13. 1810.	2	4
" "	liable to suspension for false returns to S. D. A.	12	13	4	4	6. 1793.	13	
						5. 1803.	13	
" of Sudder Dewanny Adawlut	number of, to be settled by the Gov. Gen in C.	13	1	1	1	12. 1811.	2	
" "	to take oath on appointment,	.	.	.	3	2. 1801.	4	
" "	senior to act as chief judge in his absence,	.	.	.	4	..	5	
" "	two to constitute a court,	.	.	.	5	..	6	
" "	chief of, to have a casting vote,	.	.	.	6	25. 1814.	18	

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
JUDGES of SUDDER DEWANNY ADAWLUT single, when competent to hold a court, ...	13	1	2	1,2	13. 1810.	6	2
					25. 1814.	6,16	
„ „ „ may examine witnesses, ...	.	.	.	3	2. 1801.	6	
„ „ „ may perfect interlocutory decrees, ...	.	.	.	4	13. 1810.	8	1,3
						4	2
„ „ „ may pass orders in trial of suits, ...	.	.	.	5	..	4,8	4, 1
„ „ „ may commit persons for perjury, ...	.	.	.	6	..	4,8	5, 1
„ „ „ may reject and admit appeals (exception,)	.	.	.	7	..	8	2
„ of P. C. A. differing about drafts of regulations, rules, ...	4	18	2	6	23. 1793.	8	
					9. 1803.	8	
„ not to communicate opinions on proposed regulations to Z. and C. Judges, ...	.	.	.	8	..	10	
					..	10	
„ may propose new regulations, ...	4	18	3	1	..	11	
					..	11	
JUDGES of SUDDER DEWANNY ADAWLUT single, not to alter orders of two or more Judges, ...	13	1	2	8	13. 1810.	8	3
„ „ „ not finally to reverse decisions appealed, ...	.	.	.	9	..	6	3
„ „ „ reversing decisions, rule for proceeding, ...	.	.	.	10	25. 1814.	8,16	
„ „ „ may admit miscellaneous petitions, ...	.	.	.	11	13. 1810.	4, 8	6, 1
„ „ „ orders of, to have effect as orders of court, ...	.	.	.	12	..	7	
„ „ not to sit on appeals from themselves, ...	13	5	7	1	..	6	2
„ (generally) to inform collectors of fictitious auction purchases, ...	4	6	3	1	11. 1822.	28	2
„ may attend the execution of any process, ...	2	3	5	2	1. 1825.	2	
JUDGMENTS.—*See Decisions.*							
JUDICIAL OFFICERS. having revenue authority amenable as collectors, ...	1	3	5	10	4. 1821.	6	1
					5. 1825.	3	2
„ „ European charges against, trial of, ...	11	4	1	1	17. 1813.	5	1
„ „ liable to dismissal for employing private persons publicly, ...	6	1	2	2	8. 1825.	2	1
JUMMA WASIL BAKY, to be served on defaulting tenants, ...	10	6	5	2	5. 1812.	13	
JUNGLE MUHALS, law of inheritance in, ...	4	12	0	3	10. 1800.	2	
„ „ power to establish a civil court in, ...	1	1	1	8	18. 1805.	10	
JURISDICTION, local, of Z. or C. C.	1	3	1	—	See Anal.		
„ „ of P. C.	12	1	—	—	Do.		
„ of courts generally as to persons, ...	1	3	2	—	Do.		
„ of the special commission, to be decided by Gov. Gen. in C.	11	5	1	2	1. 1821.	3	1
	11	5	3	2		5	2
„ of collectors vested with judicial powers, rules for, when doubtful, ...	11	10	2	1	7. 1822.	18	
„ of the commissioners for trying cases according to Reg. II. 1819, ...	11	15	1	2	3. 1828.	2	2
K.							
KALUNJER, *jageer* of the *killadar* of, attached to *zillah* Bundlekund, ...	1	1	4	1	22. 1812.	3	
„ suits cognizable in, from what date, ...	2	1	2	8	..	4	
KANOONGOES, lands of resumed may be confirmed to, ...	4	16	0	1	13. 1825.	2	
„ such lands of hereditary and transferable, ...	.	.	.	2	..	3	
„ jurisdiction of special commission over, ...	11	5	4	9	1. 1821.	9	
„ may be employed as arbitrators, ...	11	10	6	3	7. 1822.	33	3
KAZIES, *mofussil*, to be removed only for incapacity or misconduct, ...	6	6	2	1	39. 1793.	2	1
					46. 1803.	2	1
„ situations of, may be abolished by Gov. Gen. in C.	.	.	.	2	..	..	2
					..	..	2
„ appointments of, to be confirmed by S. D. A.	.	.	.	3	8. 1809.	4	1
„ recommendation of, by Z. or C. Judges, ...	.	.	.	4	..	..	2
„ to receive *sunnuds* from the *kazy ool kazaut*, ...	.	.	.	5	39. 1793.	4	
					46. 1803.	4	
„ office of, not to be considered hereditary, ...	.	.	.	6	..	5	
					..	5	
„ misconduct of, to be reported by judges, ...	6	6	3	1	..	6	1
					..	6	1
„ liable to civil actions for breach of duty, ...	.	.	.	3	..	11	
					..	11	
„ penalty for preparing documents on improper stampt paper, ...	.	.	.	4, 5	16. 1824.	7	2
„ stations of, to be selected by judges, ...	6	6	4	1	39. 1793.	9	
					46. 1803.	9	
„ to keep copies of all deeds attested by them, ...	6	6	5	1	..	7	
					..	7	
„ when *moonsiffs* also, to sell distrained property, ...	.	.	.	2	7. 1799.	6	
					28. 1803.	20	2
„ not to exact more than parties willingly give for attesting deeds, ...	6	6	6	1	39. 1793.	8	
					46. 1803.	8	

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
KAZIES, to receive translations of regulations, ...	6	6	6	2	39. 1793.	10	
					46. 1803.	10	
„ to be chosen as *moonsiffs* in preference, ...	10	1	2	1	23. 1814.	8	1
KAZY OOL KAZAUT, to be appointed by the Gov. Gen. in C.	6	6	1	1	39. 1793.	2	1
					46. 1803.	2	1
„ to use a circular seal officially inscribed, ...	.	.	.	2	..	..	2
					..	..	2
„ may report upon incompetency of *kazies*, ...	6	6	2	4	8. 1809.	4	2
„ to report misconduct of *kazies*, ...	6	6	3	2	39. 1793.	6	2
					46. 1803.	6	2
KHANDEH, *elaheh* of, annexed to Bundlekund, ...	1	1	4	1	2. 1818.	2	
„ exempt from the regulations, ...	1	3	1	1	..	3	1
„ suits cognizable in, from what date, ...	2	1	2	10	..	..	..
„ *lakhiraj* grants confirmed in, from what date, ...	4	5	4	1	14. 1825.	2	2
KHAS MANAGEMENT, Reg. VII. 1822, extended to estates under, ...	11	10	1	5	9. 1825.	2	2
KHOODKASHT RYOTS.—*See Ryots.*							
KING in COUNCIL, cases appealable to, ...	13	6	0	1	16. 1797.	3	
L.							
LAKHIRAJ grants, power to confer, ...	4	5	3	—	14. 1825.	2	
„ lands being resumed, suits against, ...	4	3	1	1	2. 1819.	24	
„ „ what possession of, to confer right, ...	4	5	4	1	14. 1825.	3	2
„ „ possession of, to be proved by claimants to, ...	.	.	.	3	..	..	3
„ „ not exceeding 10 *beegas* unresumable, ...	4	5	8	1	..	4	
„ „ sales of, in satisfaction of decrees, ...	2	3	5	4	45. 1793.	17	
„ „ suits concerning, may be instituted before collectors, ...	11	9	1	2	2. 1819.	30	1
„ tenures, principles of, ...	4	5	3,4 5		See Anal.		
„ „ right of, to be determined by terms of grant, ...	4	5	4	4	14. 1825.	3	4
„ transfer of, when legal, ...	4	5	10	1	19. 1793.	20	
					41. 1795.	20	
					31. 1803.	15	
„ „ for life, only to be decreed to the original grantee, ...	4	5	13	1	..	2	3
					..	2	3
					..	2	4
„ „ for life, not to be transferred for a longer period, ...	.	.	.	5	..	..	5
					..	..	5
					..	..	6
„ lands, valuation of claims in suits for, ...	1	6	2	3	1. 1824.	14	2
„ „ attachment of, for default of registry, ...	11	9	4	1	3. 1828.	11	1
„ *See Badshahy Grants—Lands.*							
LANDHOLDERS, resisting process of *zillah* or city courts, penalty, ...	1	5	3	1	4. 1793.	22	
					3. 1803.	23	
„ resisting process of provincial courts, penalty, ...	12	4	2	1	5. 1793.	23	
					4. 1803.	22	1
„ resisting process of Sudder Dewanny Adawlut, ...	13	5	5	1	6. 1799.	24	
					5. 1803.	24	
„ not to assess rent-free lands, without a civil suit, ...	4	5	1	2	9. 1793.	11	
					41. 1795.	11	
„ may petition to arrest defaulters for arrears, ...	5	1	1	1	7. 1799.	15	1
					5. 1800.	14	1
					28. 1803.	32	1
„ may attach tenures on arrest of tenants, ...	5	1	3	1	..	16	6
					..	14	6
					..	32	6
„ powers of, on arrears continuing unpaid, ...	.	.	.	2	..	..	7
					..	..	7
					..	..	7
„ may summon tenants to measure lands, &c.	.	.	.	3	..	..	8
					..	..	8
					..	..	8
„ may attach tenures for arrears due longer than a month, ...	.	.	.	4	8. 1819.	18	2
„ may cancel intermediate tenures on obtaining a summary decree, ...	.	.	.	5	..	..	4
„ may sue regularly after losing summary suits, ...	5	1	4	2	7. 1799.	17	
					5. 1800.	16	
					28. 1803.	35	
„ may institute summary process for accounts, &c.	5	2	0	1	..	20	
					..	19	
					..	37	

	Analysis. Chap.	Sec.	Cl.	Rule	Authority. Reg.	Sec.	Cl.
LANDHOLDERS, not to dispossess persons forcibly, ...	5	4	0	1	49. 1793. / 32 1803.	9 / 2	
„ liable to confinement, if proceeds of sale do not cover arrears, ...	5	7	0	4	3. 1794.	14	
„ only to be confined under such circumstances, ...	.	.	.	5	..	3	
„ may require security from purchasers of *putnee talooks*, ...	5	12	1	1	8. 1819.	6	
„ refusing to yield possession of *putnee talooks*, ...	.	.	.	3	..	11	
„ disqualification of, rules concerning, ...	5	13	1	2,3	10. 1793. / 52. 1803.	5 / 9	2 / 2
„ not to be disqualified by bad character, ...	.	.	.	4	7. 1796.	3	
„ leaving disqualified heirs, rules, ...	5	12	2	1	1. 1800. / 8. 1805.	1 / 29	8
„ not to demands rents above *pergunnah* rates, ...	4	7	1	2	4. 1794. / 51. 1795.	7 / 10	
„ option of, as to *pyecasht ryots* in Benares, ...	4	7	1	3	51. 1795.	10	
„ not to enhance rents in C. C. P.	.	.	.	4	47. 1803.	2	1
„ levying *abwabs* above rents, penalty, ...	4	7	2	2	8. 1793. / 30. 1803.	54 / 5	
„ to be bound by engagements, ...	4	7	3	5	.. / ..	67 / 2	1
„ extorting beyond agreements, penalty for, ...	.	.	.	6	.. / ..	52 / 2	
„ not to receive rents before they are due, ...	4	7	6	1	7. 1799.	23	3
„ to give receipts for rents, ...	.	.	.	2	8. 1793.	64	
„ right of, to fees on the transfer of *putnee talooks*, ...	4	9	2	3	8. 1819.	5	
„ may delay such transfers till payment of fees, ...	.	.	.	4	..	6	
„ may attach *talooks* for fees in certain cases, ...	.	.	.	5	..	7	
„ to apply to court for sale of *putnee talooks*, ...	4	9	3	2, 3	..	8	2, 3
„ to bequeath property according to native law, ...	4	12	0	2	11. 1793. / 44. 1795.	6 / 6	
„ lending money to civil officers, penalty, ...	4	17	2	2	7. 1823.	4	
„ authority of, to distrain, ...	10	6	2	1	17. 1793. / 45. 1795. / 28. 1803.	2 / 2 / 2	
„ may delegate agents to distrain, ...	.	.	.	2	7. 1799. / 28. 1803.	2 / 2	2
„ responsibility for such agents, ...	.	.	.	.	45. 1795. / 28. 1803.	29 / 29	
„ confining under-tenants, penalty, ...	10	6	3	1	17. 1793. / 45. 1795. / 28. 1803.	28 / 26 / 26	
„ levying arrears not due, penalty, ...	.	.	.	2	.. / .. / .. / ..	6 / 6 / 6 / 8	
„ distraining contrary to the regulations, penalty, ...	.	.	.	3	.. / .. / ..	8 / 8 / 8	
„ *See Leases.*							
LANDS, *malguzary*, valuation of claims concerning, ...	1	6	2	1	1. 1814.	14	1
„ „ portions of, valuation of ditto, ...	.	.	.	2	19. 1817.	5	
„ *lakhiraj*, valuation of ditto. *(See Lakhiraj.)*	.	.	.	3	1. 1814.	14	2
„ conditions of restoring, after sales, ...	4	6	2	2, 4	11. 1822.	26, 27	2
„ disputes concerning, after sales, to be settled in court, ...	.	.	.	7	..	28	3,
„ proprietary right in, may be claimed after sales, ...	4	6	5	1	..	29	
„ sales of, in satisfaction of decrees, ...	2	3	5	—	See Anal.		
„ attached by Government, not to be sold for decrees, ...	2	3	5	7			
	4	14	0	2	3. 1818.	10	2
„ under management of guardians, may be sold for arrears, ...	5	13	1	6	1. 1800. / 10. 1805.	6 / 29	2 / 13
„ put up to sale pending appeals, rules for possession, ...	2	4	2	3	13. 1808.	11	4
„ being sold pending appeals, rules for possession, ...	.	.	.	4	5. 1798. / 4. 1805.	4, 5 / 14	1
„ gained by alluvion, when to belong to the annexed estate, ...	4	15	0	3	11. 1825.	4	1
„ separated by rivers changing their course, rules of right, ...	.	.	.	4	..	..	2
„ in Cuttack, to be inherited entire, ...	11	1	1	3	11. 1816.	3	
„ unpossessed, claim of Government to be advanced by collectors, ...	11	9	3	1	9. 1825.	5	12
„ Reg. VII. 1822, extended to certain, ...	11	10	1	4, 5, 6	..	2	1, 2, 3
„ *See Lakhiraj, Minhye.* ..							
„ family of the Raja of Benares, superintendent in, ...	11	16		1	7. 1828.	3	
LAW native, questions concerning, to be referred to law officers, ...	2	2	9	1	1. 1793. / 3. 1803.	15 / 16	

	Analysis. Chap.	Sec	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
Law of defendant to be followed on a difference of religions, ...	2	2	9	2	8. 1795.	3	
Law Officers, to be of good moral character and versed in law, ...	6	4	1	1	12. 1793. / 11. 1803.	3 / 3	
„ „ certificate of examination necessary for, ...	.	.	.	2	11. 1826.	5	1
„ „ candidates may apply for examination, ...	.	.	.	3	..	..	2
„ „ examination of, when nominated by courts, ...	.	.	.	4	..	..	3, 4
„ „ report of vacancies, and recommendation of, by Z. or C. Judges, ...	6	4	2	1	11. 1826.	4	2
„ „ of P. C. and Z. and C. C. to be appointed by the G. G. in C.	.	.	.	2	..	..	1
„ „ of S. D. A. to be approved by Gov. Gen. in C.	.	.	.	3	..	3	
„ of S. D. A. may be consulted by the S. R. L. A, ...	11	14	0	3	8. 1816.	4	
„ reasons for removing, to be reported to S. D. A.	6	4	3	1	8. 1809.	4	2
„ „ removals and resignations of, to be confirmed by S. D. A.	.	.	.	2	..	..	1
„ „ to subscribe solemn declarations, ...	6	4	4	12	18. 1817. / 12. 1793. / 11. 1803.	2 / 7 / 7	2
„ „ amenable to their own courts for corruption, ...	6	5	2	1	12. 1793. / 11. 1803.	8 / 8	1 / 1
„ „ dismissal or suspension of, on such charges, ...	.	.	.	7	.. / ..	.. / ..	7 / 7
„ „ liable to criminal actions for corruption, ...	6	5	3	1	18. 1817.	6	2
„ to be *sudder aumeens ex-officio*, ...	9	1	0	2	23. 1814.	62	
„ „ not to receive *sunnuds* as *sudder aumeens*, ...	.	.	.	8	..	65	2
„ „ of Cuttack, may be consulted by the superintendent, ...	11	1	1	6	11. 1816.	6	
„ „ reference to, by courts, forms of, ...	2	2	9	3	4. 1793. / 3. 1803.	16 / 17	
Leases, may be cancelled on obtaining summary decrees for arrears, ...	5	1	3	5	8. 1819.	18	4
„ period of, at the option of landholders, ...	4	7	5	1	5. 1812. / 18. 1812.	2 / 2	
„ limitation of, in the C. C. P	.	.	.	2	14. 1812.	2	
„ invalid when evasive of such limitation, ...	.	.	.	3	..	3	
„ to remain in force on the transfer of lands, ...	.	.	.	4	18. 1812.	3	2
„ for buildings, &c. power of granting, ...	.	.	.	5	44. 1793. / 50. 1795. / 47. 1803.	8 / 7 / 8	
„ in *putnee talooks*, to be cancelled on sales for arrears, ...	4	9	5	2	8. 1819.	11	2
„ in perpetuity.—*See Putnee Talooks*.							
„ *See Pottahs*.							
Limitation of time, for cognizance of suits, ...	2	1	2	—	See Anal.		
„ „ for cognizance of summary suits for arrears, ...	5	1	1	7	2. 1805.	4	1
„ „ for cognizance of do. against agents to landholders for accounts, &c.	5	2	0	2	..	..	2
„ „ how to justify illegal occupancy of lands, ...	2	1	2	17	..	3	4
„ „ for the cognizance of suits by *moonsiffs*, ...	10	2	1	1	19. 1817.	12	
„ „ for do. before the superintendent of Cuttack, ...	11	1	1	4	11. 1816.	4	
„ „ for cognizance of summary suits, against dispossession before collectors, ...	11	10	7	5	7. 1822.	34	5
„ „ for appeals generally, ...	12	9	3	1	5. 1793. / 4. 1803.	12 / 12	4
„ „ calculation of such period of, ...	.	.	.	2	26. 1814.	8	10
„ „ for appeals from *moonsiffs* and *sudder aumeens*, ...	10 / 9	3 / 7	0 / —	1 / —	23. 1814.	46 / 73	1
„ „ for appeals from registers, ...	1	7	1	2	2. 1805. / 26. 1814.	8 / 8	10, 11,
„ „ for appeals from collectors in cases concerning *lakhiraj* lands, ...	11	9	2	1	2. 1819.	30	7
„ „ such to be calculated from the decision of the Board, ...	.	.	.	3	..	..	9
„ „ for appeals from collectors to the Board of Revenue under Reg. VII. 1822. ..	11	10	5	1	7. 1822.	29	1
„ „ for appeals to the S. D. A.	13	4	3	1	12. 1797. / 6. 1793. / 5. 1803.	3 / 10 / 10	7
„ „ for appeals to the King in Council, ...	13	6	0	2	16. 1797.	2	
„ „ for appeals from Benares native commissioners, ...	11	16	0	8	7. 1828.	24	
„ „ for appeals not to be stayed by filing petitions without security, ...	12	9	5	1	26. 1814.	8	2
„ „ for appeals in cases of contraband salt, ...	12	9	3	3	10. 1819.	114	
„ „ for appeals from the special to the *sudder* commission, ...	11	6	4	2	1. 1821.	11	1
„ „ for special appeals, ...	12	11	2	1	26. 1814.	8	11
„ „ for summary appeals, ...	12	12	1 / 2	1 / 2	13. 1808. / 26. 1814.	4 / 3	1 / 5
„ of *amount* of suits cognizable by Z. and C. C.	1	6	1	—	See Anal.		
„ „ for suits cognizable by registers, ...	8	1	3, 4	—	See Anal.		
„ „ for suits cognizable by *sudder aumeens*, ...	9	4	1	—	See Anal.		

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
LIMITATION of *amount*, for suits cognizable by *moonsiffs*, ...	10	2	1	2 3	23. 1814. 2. 1821.	13 3	1 1
„ „ for suits cognizable by S. D. A.	13	2	1	1	25. 1814.	5	1
„ „ for appeals to P. C. A. from decrees of forfeiture, &c. on resistance of process, ..	1 12	5 8	3 0	1 5	4. 1793. 3. 1803.	22 23	&c. &c.
„ „ for such appeals in cases of resistance to process of collectors, ...	1 12	5 8	4 0	5 6	5. 1798. 7. 1799. 27. 1803.	7 24 23	&c. &c.
„ „ for appeals to the King in Council, ...	13	6	0	1	16. 1797.	3	
„ „ for appeals to S. D. A. from decrees on resistance to process of P. C. ..	12 13	4 3	2 0	1 3	5. 1793. 4. 1803.	23 23	V.An. 1
„ „ for appeals in cases of contraband salt, ...	12	8	0	8	10. 1819.	114	
„ „ for appeals to S. D. A. from the commissioner of Cuttack, ...	13	3	0	13	5. 1818.	5	5
„ „ for special appeals from decrees on resistance to process of Z. and C. C. ..	1 13	5 7	3 1	1 5	4. 1793. 5. 1798. 3. 1803.	22 2 23	&c. &c.
„ „ for special appeals, from decrees on resistance to process of collectors, ..	1 13	5 7	4 1	5 6	7. 1799. 27. 1803.	24 23	
„ of *time* in appeal to special commission for revenue cases, ...	11	15	5	2	3. 1828.	4	2
LOANS, to civil, from native officers prohibited, ...	4	17	1	1	7. 1823.	2	1
„ such also prohibited by managers, *aumeens*, &c.	.	.	.	2	..	..	2
„ from landholders, &c. of the same jurisdiction prohibited, ...	4	17	2	1	..	3	
„ penalty for such, ...	.	.	.	2	..	4	
„ penalty for concealing such, ...	.	.	.	3, 4	..	5, 6	
„ by civil officers to landholders, irrecoverable in courts, ...	4	17	4	1	38. 1793. 48. 1795. 19. 1803.	2 2 2	
„ illegal, suits for recovering penalties for, to be instituted in P. C.	12 4	3 17	0 3	8 1	7. 1823.	8	
LUNATICS, being landholders, to be brought before the Judge once a year, ...	5	13	0	5	10. 1793. 52. 1803.	5 9	5 5
„ may petition Z. and C. Judges on their recovery, ...	.	.	.	6	.. ..	.. ..	6 6

M.

MAGISTRATES to give notice to civil courts of disputes for possession, ...	5	4	0	10	15. 1824.	4	
„ not to award damages for dispossession, ...	.	.	.	11	..	5	
„ to give notice of similar disputes to Collectors, ...	11	10	7	2	7. 1822.	34	2
„ powers of, under Reg. XV. 1824, to be suspended in lands under settlement, ...	.	.	1	12	4. 1828.	2	4
MALIKANA, in *minhye* lands of *kanoongoes*, not to be withheld, ...	4	16	0	1	13. 1825	2	
„ rates of, settled by Collectors not to be altered by courts, ...	11	10	1	3	7. 1822.	17	
MANAGERS to joint-estates under dispute may be appointed by courts, ...	5	14	0	1	5. 1812.	26	
„ of undivided estates, competent to distrain, ...	10	6	2	3	15. 1795. 28. 1803.	28 28	
„ of lands attached by order of courts, ...	3	8	0	1	5. 1827.	3	
MEERUT, court established in the *zillah* of, ...	1	1	4	2	4. 1818.	2	2
„ *zillah* of, attached to the P. C. A. of Bareilly, ...	12	1	3	2	8. 1805.	8	
MILITARY COURT for cognizance of soldiers' debts, rules for, ...	3	4	6	1	20. 1810. 20. 1815.		
MINHYE LANDS of *kanoongoes* may be confirmed to the holders, ...	4	16	0	1	13. 1825.	2	
„ „ confirmed to their holders by Gov. Gen. in C. to be upheld by courts, ...	.	.	.	3	..	5	
MINISTERIAL OFFICERS OF COURT, *(See Officers.)*	6	1	—	—	See Anal.		
MINORS may petition courts, against orders of disqualification by Collectors, rules, ...	5	13	0	1	10. 1793. 52. 1803.	5 9	2 2
MINT MASTERS amenable to courts for official acts, ...	1	3	4	1	3. 1793. 2. 1803.	10 7	
MIRDAHS to be appointed by *nazirs*, ...	6	1	7	1	5. 1804.	12	
MISCELLANEOUS CASES, *(See Wards, Putnee Talooks, Guardians, Managers, Treasure, Conditional Sales, Pottahs,)*	5	13	&c	—	See Anal.		
MOCHULKAS may be required from native officers of courts, ...	6	1	5	4	13. 1793.	2	
MOKTARNAMEHS, to be filed in suits without *durkhasts*, ...	2	2	7	7	26. 1814.	24	
„ on the part of *sepoys*, rules for execution of, ...	3	4	1	2	15. 1816.	3	2
„ of *sepoys*, to be forwarded to registers of courts, ...	.	.	.	3	..	..	3
„ for registering deeds to remain on record, ...	8	4	4	3	20. 1812.	10	
„ in summary suits before collectors to be on 8 annas stamp paper, ...	11	8	0	8	14. 1824.	8	
„ in suits before collectors to be on paper of 8 annas stamp, ...	11	10	3	5	7. 1822.	27	
„ in appeals to the B. of Revenue on paper of 1 rupee, ...	11	10	5	3	..	29	3
„ *See Appendix to Ch. 2, for stampt paper.*							
MOKTARS of *sepoys* refusing to act, rule, ...	3	4	1	4	15. 1816.	3	5

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
MOKURRERY TENURES, Reg. VII. 1822, extended to, ...	11	10	1	4	9. 1825.	2	1
MOLUNGHEES, suits against rules for instituting, ...	3	2	1	2	10. 1819.	21	1
,, rules for summoning as witnesses, ...	3	2	2	2	..	21	8
,, attendance of, when necessary to be enforced, ...	..	..	..	4	..	19	9
,, rules for executing decrees against, ...	3	2	3	3	..	22	
,, rules for summary process against, ...	3	2	4	2	..	20	2
,, suits on the parts of, against compulsion, rules, ...	3	2	6	2	..	8	
,, using compulsion against labourers, penalty, ...	..	..	..	4	..	11	
,, rules for distraining property of, for arrears of rent, ...	10	6	8	7	17. 1793. 7. 1799.	31 4	
MOONSIFFS, to be established according to the police divisions, ...	10	1	1	1,3	23. 1814.	6	1,3
,, to be situated in Juggurnath Poory, Cuttack, ...	..	..	..	..	..	50	
,, jurisdiction of, to be according to limits of *thannahs*, ...	..	..	..	2	..	6	2
,, may be increased by P. C. A. on reports of Z. or C. Judges, ...	..	..	..	4	2. 1821.	2	
,, stations of, may be changed by P. C. A.	..	..	..	5	23. 1814.	7	
,, rules for selection of, by Z. or C. Judges, ...	10	1	2	1	..	8	1
,, qualifications of, to be reported to P. C. A.	..	..	..	2	..	..	2
,, charge of office on vacancy occurring, ...	..	..	..	3	..	48	
,, rules for removal of, ...	..	..	..	4	..	9	1
,, may be suspended by Z. and C. Judges for misconduct, ...	..	..	..	5	..	..	2
,, liable to fines, not above 20 *Rs.* for misconduct, ...	..	..	..	6	..	..	3
,, only to be dismissed for, ...	..	..	..	7	..	..	4
,, amenable to court of circuit for corruption, ...	10	1	3	1	..	10	1
,, amenable to criminal courts, but not for irregularity, ...	..	..	..	2	..	..	2
,, to receive *sunnuds* of appointment, ...	10	1	4	1	..	6	4
,, to take oath, ...	..	..	..	2	..	11	
,, to fix up *sunnuds* in their court rooms, ...	..	..	..	3	..	12	
,, suits to be instituted before, within three years, ...	10	2	1	1	19. 1817.	12	
,, suits cognizable by, generally, ...	..	..	..	2	23. 1814.	13	1
,, may try suits not exceeding 150 rupees, ...	..	..	..	3	2. 1821.	3	1
,, may try suits for arrears of rent, for 150 rupees, ...	..	..	..	4	..	4	
,, prohibition regarding certain suits, ...	..	..	..	5	23. 1814. 2. 1821.	13 3	2 2
,, not to admit suits of paupers, ...	..	..	..	6	..	..	..
,, of Chittagong, may try suits for land not exceeding 64 rupees, ...	..	..	..	7	23. 1814.	57	
,, of Chittagong, to receive *sunnuds* to this effect, ...	..	..	..	8	..	58	
,, general rules for trial of suits by, ...	..	..	..	9	..	14	
,, persons entitled to plead before, ...	10	2	2	1	..	15	1
,, rules for *vakeels* in courts of, *(see Vakeels.)*	..	..	..	2,&c.	..	15	
,, to appropriate stamp duty as a remuneration, ...	10	2	3	2	2. 1821. 23. 1814.	3 49	3 2
,, to receive such from the court treasurer, rules for, ...	..	..	..	4	..	..	4
,, not to receive such in suits dismissed for default, ...	..	..	..	3	..	..	3
,, to endorse notices in suits before them, ...	10	2	5	2	..	19	2
,, to ascertain that notice was served before deciding *exparte*, ...	10	2	6	2	..	21	2
,, to report any intention to remove property claimed, ...	10	2	7	1	..	23	
,, to try suits as they stand on the file, ...	10	2	9	1	..	26	
,, may summon witnesses not produced by parties, ...	10	2	10	1	..	29	1
,, to endorse summonses for witnesses, ...	..	..	..	4	..	..	4
,, may attach property of witnesses not attending, ...	..	..	..	7	..	31	1
,, may fine witnesses refusing to give evidence, ...	..	..	..	9	..	..	3
,, to prepare interrogatories for witnesses at a distance, ...	..	..	..	11	..	32	2
,, not to confine or detain witnesses, ...	..	..	..	12	..	33	
,, empowered to examine witnesses on oath, ...	..	..	..	13	..	34	
,, to superintend the examination of witnesses, ...	..	..	..	14	..	36	
,, doubting the legality of stamps, to forward such documents to the Z. or C. Judge, ..	10	2	11	2	..	38	2
,, to number, mark, and sign exhibits filed, ...	..	..	..	3	..	..	3
,, to report to the Judge all fines imposed for contempt of court, ...	10	2	12	1	..	42	
,, may commute such fine to imprisonment for two months, ...	..	..	..	2	12. 1825.	6	2
,, to endorse all copies of decrees, ...	10	2	13	3	23. 1814.	41	1
,, penalty for such incorrect endorsements, ...	..	..	..	4	..	..	2
,, not to execute their decrees till ordered by the Judge, ...	..	..	14	1	..	44	
,, not to receive petitions of appeal from themselves, ...	10	3	0	2	..	46	2
,, to send monthly reports of decisions to the Judge, ...	10	4	0	1	..	43	1
,, to send half-yearly reports of suits pending, ...	..	..	..	3	..	..	2
,, may be employed in local investigations, ...	10 2	5 2	0 10	1 6	..	50	1

	Authority.				Analysis.		
	Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
MOONSIFFS to receive particular instructions on such occasions, ...	10	5	0	2	23. 1814.	50	2
	2	2	10	7			
„ proceedings of, in such cases to be received as evidence, ...	2	2	10	8	..	..	3
„ may be employed to execute decrees of courts, ...	2	3	4	6	7. 1825.	3	1
	10	5	0	3	23. 1814.	51	1
„ remuneration in such cases to be fixed by the Judge, ...	2	3	4	7			
	10	5	0	4	..	..	2
„ such remuneration to be previously filed in court, ...	2	3	4	7			
	10	5	0	5	..	..	3
„ may be employed to sell property in liquidation of fines, &c. receiving a commission on the sale,	2	3	4	8			
	10	5	0	6	..	52	
„ may be employed to ascertain the sufficiency of securities, and circumstances of paupers, ..	10	5	0	7	..	53	
„ not to be employed to the injury of suits before them, ...	.	.	.	8	..	54	
„ to sell distrained property, *(See Sales,)*	.	.	.	9	..	55	
					7. 1799.	4	
„ to proclaim sales of property attached for rent, ...	10	6	8	6	45. 1795.	20	
					28. 1803.	20	1
					17. 1793.	11	
„ to decide concerning expenses of attachment, ...	.	.	.	9	45. 1795.	9	
					28. 1803.	9	
					7. 1799.	5	
„ compensation for sales of distrained property, ...	.	.	9	3	28. 1803.	20	2
					17. 1793.	23	
„ responsible for unfair practices at such sales, ...	.	.	.	7	45. 1795.	21	
					28. 1803.	21	
					7. 1799.	15	2
„ to receive petitions for arrest of defaulters in certain cases, rules, ...	5	1	1	2	5. 1800.	14	2
	10	7	0	1	28. 1803.	32	2
„ appeals from, *(See Appeals,)*	10	3	—	—	23. 1814.	46	
„ to be appointed by the Raja of Benares, in his *pergunnahs*, ...	11	17	0	1	7. 1828.	16	
„ nomination of such and removal, ...	.	.	.	2, 3	..	17, 18	
„ such subject to criminal prosecutions, ...	.	.	.	4	..	19	
„ powers of such, ...	.	.	.	5	..	20	
„ may try cases when British subjects, &c. are parties, ...	.	.	.	7	..	22	
MOORSHEDABAD, city united with the *zillah* of, ...	1	1	1	2	1. 1806.	2	
„ provincial court established in, ...	12	1	1	1	5. 1793.	2	
MORTGAGEE, to file accounts of usufruct, when required, ...	4	3	0	2	15. 1793.	11	
					34. 1803.	9	
MORTGAGES, conditions and means of redeeming, ...	4	3	0	1	15. 1793.	10	
					34. 1803.	9	
„ such rules not to act retrospectively in Benares, ...	.	.	.	..	17. 1806.	5	
„ principles and means of foreclosing, ...	.	.	.	4	..	8	
„ period for redeeming after legal application for foreclosure of, ...	.	.	.	3	..	7	
„ suits for redemption of, cognizable after any date, ...	2	1	2	18	2. 1805.	3	4
„ deeds of, when registered to invalidate others, ...	8	4	5	4	36. 1793.	6	2
					17. 1803.	6	2
„ what to be annulled by the special commission, ...	11	5	1	8	1. 1821.	3	4
MUHALS, tributary, of Cuttack, exempted from the regulations, ...	11	1	1	1	12. 1805.	36	
					14. 1805.	11	
„ „ suits for lands in, how to be tried, ...	.	.	.	2	11. 1816.	2	
See, Superintendent, Cuttack.							

N.

NAZIRS, to endorse all notices with a statement of returns, ...	2	2	2	4	2. 1806.	3	
„ may be employed to sell property in satisfaction of decrees, ...	2	3	6	2	7. 1825.	3	1
„ responsible for reports on the sufficiency of securities, ...	2	4	2	8	13. 1808.	12	3
„ to appoint their own officers and *peons*, ...	6	1	7	1	5. 1804.	12	
„ to enter *mochulkas* for their own officers, ...	6	1	7	2	13. 1793.	2	
					12. 1803.	2	
„ not to employ unregistered *peons*, ...	.	.	.	4	26. 1814.	14	3
„ to appropriate one-fourth of the *tulubaneh*, ...	6	1	8	3	..	..	8
NOTICE of court, how to be served on weavers, &c.	3	2	1	1	31. 1793.	10	1
					37. 1803.	10	1
„ rules for serving on weavers at a distance from residents, ...	.	.	.	3	..	..	2
					..	..	2
„ rules for serving on *molunghees*, &c.	.	.	.	2	10. 1819.	21	1
„ rules for such at a distance from salt agents, ...	.	.	.	4	..	..	2

	Authority				Analysis.		
	Chap.	Sec.	Cl.	Rule	Reg.	Sec.	Cl.
NOTICE, rules for serving on weavers, &c. their profession not having been stated in the plaint, ..	3	2	1	7	31. 1793. 37. 1803.	10 10	3 3
„ rules for serving on *molunghees*, under similar circumstances, ...	.	.	.	8	10. 1819.	21	3
„ on applications for the foreclosure of mortgages, ...	4	3	0	4	17. 1806.	8	
„ of public sales of lands, legal period of, ...	4	6	1	7	11. 1822.	7	4
„ of such sales to *sepoys*, rules for sending, ...	.	.	.	..	15. 1816.	9	1
„ of postponement of public sales, ...	.	.	.	..	11. 1822.	8	1
„ in regular suits, rules for serving on defts.	2	2	2	1	2. 1806.	2	1
„ may be given to agents of defts.	.	.	.	2	..	..	2
„ rules for serving in other jurisdictions, ...	.	.	.	3	..	..	3
„ of eight days necessary previous to hearing suits, ...	2	2	7	1	26. 1814.	12	1, 2
„ in summary suits on indigo engagements, to be served on third parties, ...	5	5	0	7	6. 1821.	3	7
„ to defts, to disprove the poverty of paupers, ...	3	3	1	7	28. 1814.	5	6
„ to *mokhtars* of *sepoys*, in regular suits, ...	3	4	1	3	15. 1816.	3	3
„ rules for serving on *sepoys*, in regular suits, ...	3	4	2	3	..	4	3
„ to *putnee talookdars* on claims of arrears, ...	4	9	3	2	8. 1819.	8	2
„ to be issued by *moonsiffs* in regular suits, ...	10	2	5	1	23. 1814.	19	1
„ *forms* of serving in suits before *moonsiffs*, ...	.	.	.	2	..	..	2
„ such to be acknowledged and attested, ...	10	2	5	3	..	..	3
„ rules for issuing on weavers, &c. by *moonsiffs*, ...	.	.	.	4	..	20	
„ rules for serving on *molunghees* by *moonsiffs*, ...	.	.	.	5	10. 1819.	21	1
„ form of return to, on defts. not appearing, ...	.	.	.	6	23. 1814.	22	1
„ to be issued by *moonsiffs*, parties being absent, ...	10	2	9	2	..	27	1
„ to be issued by landholders on defaulting tenants, ...	10	6	5	1	7. 1799. 17. 1793. 45. 1795. 28. 1803.	4 8 8 8	
„ rules for serving such on weavers, being defaulters, ...	10	6	6	7	17. 1793. 7. 1799.	31 4	
„ to be issued in *lakhiraj* suits before Collectors, ...	11	9	1	2	2. 1819.	30	2
„ to be issued by Collectors on claiming lands for Government, ...	11	9	3	1	9. 1825.	5	12
„ to respondents in appeals from Collectors to B. of Revenue, ...	11	10	5	4	7. 1822.	29	4
„ to persons resisting process of P. C.	12	4	2	1	5. 1793. 4. 1803.	23 22	1
„ to appellants from decisions of P. C.	12	6	3	1	6. 1793. 5. 1803.	10 10	8
„ in summary appeals, rules for, ...	12	12	2	5	26. 1814.	3	8
„ in suits before the S. D. A. rules for issuing, by the P. C.	12	13	4	2	6. 1793. 5. 1803.	14 14	
„ for parties to attend the register of S. D. A. in taking depositions, ...	13	5	2	1	.. ..	16 16	
„ of appointing commission in revenue cases, to be published, ...	11	15	1	3	3. 1828.	2	3

O.

OATHS, prescribed for Z. or C. Judges, ...	1	2	1	1	3. 1793. 2. 1803.	3 13	
„ prescribed for native ministerial officers of courts, ...	6	1	5	1, 2	18. 1817.	2	2, 3
„ prescribed for *vakeels* in courts, ...	7	1	1	7	27. 1814.	5	
„ prescribed for registers, ...	8	1	1	1	13. 1793. 12. 1803.	3 3	1 1
„ prescribed for registers of deeds, ...	8	4	1	1	36. 1793. 17. 1803.	2 2	
„ prescribed for *sudder aumeens*, ...	9	1	0	10	23. 1814.	66	
„ prescribed for *moonsiffs*, ...	10	1	4	2	..	11	
„ to be required from complainants against Government officers, ...	11	4	1	1	17. 1813.	4	1
„ prescribed for commissioners upon public officers, ...	11	4	3	1	..	6	1
„ prescribed for members of the special commission, ...	11	5	2	1	1. 1821.	12	3
„ prescribed for Judges of P. C. A.	12	2	1	3	5. 1793. 4. 1803.	2 2	
„ prescribed for Judges of the S. D. A.	13	1	1	3	2. 1801.	4	
„ of special commissioners in revenue cases, ...	11	15	2	1	3. 1828.	9	
OFFICERS, NATIVE MINISTERIAL of, Z and C C. to be appointed by the P. C. A.	6	1	1	1	8. 1809.	7	
„ „ „ to receive notice before dismissal, ...	.	.	.	3	5. 1804.	6, 16	
„ „ „ vacancies of, to be reported to the P. C. A.	.	.	.	4	..	7	
„ „ „ qualifications of successors to be reported, ...	.	.	.	5	..	9	
„ „ „ resignations of, to be reported to the P. C. A.	.	.	.	6	..	5	
„ „ „ having salaries under 10 Rs. to be appointed by Z. and C. Judges, ...	.	.	.	7	..	14	
„ „ „ may at any time be removed by Gov. Gen. in C. or S. D. A.	.	.	.	8	8. 1809.	13	

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
OFFICERS, NATIVE MINISTERIAL OF, not to be creditors of their Judges, ...	6	1	2	1	21. 1814.	2, 3	
	4	17	1	3			
„ „ „ not to attend privately on Judicial officers, ...	.	.	.	3	8. 1825.	2	2
„ „ „ of P. C. A. and S. D. A. to be appointed by those Courts, ..	6	1	3	0	8. 1809.	3	
„ „ „ statements of, to be sent to civil auditor, ...	6	1	4	1, 2	..	..	1,2
„ „ „ names of, to be in such statements, ...	.	.	.	3	5. 1804.	22	
„ „ „ salaries of, only to be changed by Gov. Gen. in C. ..	.	.	.	4	..	23	
„ „ „ to subscribe solemn declarations, ...	6	1	5	1	18. 1817.	2	2
„ „ „ declarations of, to be attested by the Judge, ...	.	.	.	2	..	..	3
„ „ „ may be required to give *mochulkas*, ...	.	.	.	4	13. 1793.	2	
„ „ „ to perform all orders of Judges, ...	6	1	6	1	13. 1793.	5	
					12. 1803.	5	
„ „ „ in Cuttack, to be appointed by the Commissioner, ..	11	2	0	8	5. 1818.	7	
„ „ „ to assist registers in executing orders, . ..	6	1	6	2	13. 1793.	8	
„ „ „ to assist registers in executing decrees of *sudder ameens* and *moonsiffs*, ..	8	1	5	1	2. 1821.	7	
„ „ „ may be employed by registers in taking depositions, ..	8	1	7	2	24. 1814.	11	2
„ „ „ to assist in executing processes of additional registers, ..	8	2	2	2	..	12	5
„ „ „ to execute certain orders of *sudder ameens*, ...	9	4	3	1	2. 1821.	7	3
„ „ „ amenable for corruption,	1	5	7	1	13. 1793.	9	1
	6	5	1	1	12. 1803.	12	
„ „ „ summary trial of, for embezzlement, ...	1	5	7	3	18. 1817.	7	2
	5	11	0	1			
„ „ „ recovery of money embezzled by, ...	5	11	0	2	..	..	3
„ „ „ withholding accounts, penalty, ...	.	.	.	3	..	..	4
„ „ „ courts, decrees against for embezzlement, to be stayed on appeals, ..	5	11	0	4	18. 1819.	7	5
„ „ „ guilty of extortion, penalty, ...	6	5	1	7	13. 1793.	9	8
					12. 1803.	12	8
„ „ „ amenable to criminal prosecutions, ...	6	5	3	1	18. 1817.	6	2
„ „ „ may prosecute for groundless charges, ...	6	5	1	9	13. 1793.	9	12
					12. 1803.	12	12
„ „ of commercial residents, amenable to courts, ...	1	5	7	4	31. 1793.	13	
					37. 1803.	13	
„ „ of salt agents, do.	.	.	.	5	10. 1819.	96	
„ „ of customs, may be confined for not producing papers, ...	5	8	0	6	9. 1810.	36	
„ „ of collectors, refusing to file papers, suits against, ...	5	8	0	1	3. 1794.	16	
					33. 1803.	3	
„ „ „ absconding in such cases, rules for, ...	.	.	.	4	..	17, 4	
„ „ „ purchasing lands at sales, penalty, ...	4	6	3	2	11. 1822.	20	3
„ „ of special commission to follow general rules, ..	11	5	4	1	1. 1821.	6	4
„ of Government, suits against generally, ...	3,1	1,3	1,4	—	See Anal.	..	
„ „ „ in Calcutta, suits against, to be instituted in the court of 24-Pergunnahs, ..	11	7	1	1	7. 1806.	8	
„ LAW. *See Law.*							
„ EUROPEAN. *See European.*							
„ of native regiments. *See Sepoys.*							
„ convicted of extortion, to refund the amount with interest, ...	6	5	1	8	3. 1827.	3	
„ need not be civilly prosecuted after criminal conviction, ...	.	.	.	11	..	5	
„ native, of special commission for revenue cases, ...	11	16	7	5	3. 1828.	6	5
OFFICES, ministerial in courts, not to be hereditary, ...	6	1	1	8	5. 1804.	24	
OPINIONS, legal may be given by *vakeels*, ...	7	5	0	2	27. 1814.	20	2
„ „ tending to encourage litigation, penalty, ...	.	.	.	6	..	..	6
„ difference of, between Judges of P. C. A. rule, ...	12	2	8	—	25. 1814.	9	—
„ „ „ between Judges of S. D. A.	13	1	1	5,6	2. 1801.	6	
					25. 1814.	18	
„ „ „ between members of special and *sudder* commissions, ...	11	6	2,3	1, 1	1. 1821.	10	5, 8
„ legal to be given by S. R. L. A.	11	14	0	3	8. 1816.	4	
„ respecting native law, may be filed by parties, ...	2	2	9	4	2. 1798.	4	
					3. 1803.	16	1
OPIUM AGENTS, and officers amenable for official acts, ...	3,1	1,3	1,4	2, 4	13. 1816.	18	
„ „ forms of suits against, ...	3	1	1	—	See Anal.	..	
ORISSA, civil courts, established in the *zillahs* of, ...	1	1	1	1	3. 1793.	2	
„ civil suits in, cognizable, from what date, ...	2	1	2	1	..	14	
„ *lakhiraj* grants in, confirmed, from what date, ...	4	5	4	1	14. 1825.	2	3
OUDE, provinces, courts established in, ...	1	1	3	1	2. 1803.	2	
„ „ civil suits in, cognizable from what date, ...	2	1	2	3	..	18	
„ „ *lakhiraj* grants confirmed in, from what date, ...	4	5	4	1	14. 1825.	2	3

P.

PAPER, European to be used for copies of decrees, ...	2	3	2	4	26. 1814.	16	1
See *Stamp Duty.*							

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
PATNA, provincial court, established in,	12	1	1	1,5	5. 1793.	2	
,, Dutch factory attached to the city court of,	1	1	1	2	18. 1825.	2	2
PARTIES, IN SUITS, may conduct their own causes,	7	4	1	1	27. 1814.	38	
,, ,, may change their *vakeels* if dissatisfied,	7	4	2	1	..	12	2
PAUPERS, only to be admitted to sue, for upwards of 64 Rs.	3	3	1	1	28. 1814.	3	
,, not to sue for damages,	.	.	.	2	..	4	
,, petitions of, in suits, rules for presenting,	.	.	.	3	..	5	1
,, to be examined on oath, as to property,	3	3	1	5	..	..	3
,, to be admonished against fraud,	.	.	.	6	..	..	4
,, evidence of appearing doubtful, process,	.	.	.	7	..	..	6
,, rules for rejecting petitions of,	.	.	.	8	..	..	5
,, liable to be committed for perjury,	.	.	.	9	..	..	7
,, suits of, referable to *sudder ameens*,	.	.	.	11	13. 1824.	4	2
,, failing to pay costs, liable to imprisonment,	.	.	.	18	28. 1814.	11	1
,, to be released on paying costs,	.	.	.	19	..	..	2
,, absconding, rules for process,	.	.	.	20	..	..	3
,, rules for appeals by,	3	3	2	1	..	12	1
,, may always appeal on paying costs,	.	.	.	4	..	..	4
,, when to be admitted to defend appealed suits,	.	.	.	6	..	14	
,, property of, when liable for fees in appeals,	.	.	.	7	..	15	
,, competent to appeal specially,	.	.	.	8	2. 1825.	5	
,, rules for admission of, as defendants or respondents,	3	3	3	—	28. 1814.	16	
,, may appeal summarily,	3	3	2	9	2. 1825.	6	
,, may present miscellaneous petitions on plain paper,	3	3	4	1	28. 1814.	24	
,, trial of suits of, by *sudder ameens*,	9	4	5	—	13. 1824.	4	
,, suits of, not to be admitted by *moonsiffs*,	10	2	1	6	2. 1821. 23. 1814.	3 13	2 3
,, may be admitted to sue before the superintendent of Cuttack,	11	1	1	10	11. 1816.	10	
,, may be admitted by the commissioner of Cuttack,	11	2	0	5	5. 1818.	5	3
PENALTY, *See Fines, Damages, Imprisonment,*							
PEONS, more than two, not to be employed to issue arrests,	5	1	1	4	7. 1799. 5. 1800. 28. 1803.	15 14 32	3 3 3
,, of *nazirs*, to be appointed by *nazirs*,	6	1	7	1	5. 1804.	12	
,, registers of, to be kept in courts,	.	.	.	3	26. 1814.	14	2
,, without salary or unregistered, not to be employed,	.	.	.	4	..	..	3
,, to pay for their own badges,	.	.	.	5	..	..	4
,, to appropriate ¼ of the *tulubanah*,	6	1	8	3	..	..	8
PERGUNNAHS, Twenty-four, court established in,	1	1	1	4	7. 1806.	2	
,, ,, suits against public officers in Calcutta, to be instituted in,	11	7	1	1	..	8	
,, ,, to execute decrees of court of requests,	11	7	2	1	10. 1812.	2	1
,, ,, to delay such execution, on what plea,	.	.	.	2	..	..	2
PERJURY, persons guilty of, before Z. and C. C. rules and penalty,	1	5	2	1	4. 1793. 8. 1795. 3. 1803.	14 2 8	
,, proceedings in cases of,	.	.	.	2	17. 1817.	14	2
,, persons convicted of, rule for bailing,	.	.	.	4	2. 1807.	5	
,, by accusers of European officers,	11	4	11	3	8. 1825.	6	
,, before the special commission,	11	5	4	6	1. 1821.	6	5,6
,, in *lakhiraj* land, suits before collectors,	11	9	1	10	2. 1819.	19	2
,, before provincial courts,	12	5	3	—	5. 1793. 4. 1803.	20 20	
,, before the S. D. A.	13	5	2	4	6. 1793. 5. 1803.	18 18	
,, before the special commission in revenue cases,	11	15	7	6,7	3. 1828.	6	6,7
PETITIONS, against Government officers, to be sent to superintending Board,	3	1	2	1	2. 1814.	8	1
,, Miscellaneous. Stamp duty, for,	2	3	3	3	1. 1814.	18	
,, for execution of decrees, what to specify,	.	.	.	3	26. 1814.	15	6
,, for arrest, on account of arrears, rules for presenting,	5	1	1	2	7. 1799. 5. 1800. 28. 1803.	15 14 32	2 2 2
,, for arrest, what to specify,	.	.	.	3	19. 1817.	15	1
,, ,, may be received in or out of court,	.	.	.	4	7. 1799. 5. 1800. 28. 1803.	15 14 32	8 3 3
,, ,, presentation of, by defaulters residing in other districts,	.	.	.	5	19. 1817.	15	1
,, ,, such, may be presented in either district,	.	.	.	6	18. 1819 7. 1822.	19 22	
,, ,, of paupers, what to specify,	3	3	1	4	28. 1814.	5	2

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
PETITIONS, of paupers in appeal, to be accompanied by copy of decrees,	3	3	2	2	..	12	2
„ for summoning witnesses, to be on plain paper,	10	2	10	3	23. 1814.	29	3
„ for execution of *moonsiffs'* decrees what to specify,	10	2	14	3	23. 1814.	45	2
„ do. to be compared with the decree,	.	.	.	4	..	..	3
„ do. may be referred to registers and *sudder aumeens*,	.	.	.	9	2. 1821.	7	2, 3
„ of appeals from *moonsiffs*, not to be presented to *moonsiffs*,	10	3	0	2	23. 1814.	44	2
„ for revision of decisions, forms and rules of,	1	8	2	1	2. 1825.	3	
„ stamp duty for such,	1	8	3	1	..	2	1
„ before the superintendent of Cuttack, need not be on stamp paper,	11	1	1	9	11. 1816.	9	
„ in appeal from the superintendent of Cuttack,	11	1	2	2	..	12	
„ may generally be on plain paper in Cuttack,	11	2	0	6	5. 1818.	5	4
„ in *lakhiraj* suits before collectors, rule for,	11	9	1	1	2. 1819.	30	1
„ of appeal from collectors to Board of Revenue,	11	10	5	1	7. 1822.	29	1
„ of appeal from P. C., admission of by P. C.,	12	6	3	1	6. 1793. 5. 1803.	10 10	8
„ „ to P. C. A., what to specify,	12	9	1	1	5. 1793. 4. 1803.	12 12	2
„ „ need only set forth a desire to appeal,	.	.	.	2	26. 1814.	8	2
„ „ to be presented in the Z. and C. C.	12	9	2	1	12. 1797. 4. 1803.	4 12	1, 10
„ „ may be admitted by the P. C. A. direct,	.	.	.	2	2. 1805.	12	
„ „ need not be accompanied with copy of decree in the original court,	.	.	.	3	26 1814.	8	2
„ „ when to be accompanied by such copies,	.	.	.	4	..	..	7
„ „ to be presented within 3 months of the decision,	12	9	3	1	5. 1793. 4. 1803.	12 12	4
„ „ to be accompanied with security for costs,	12	9	5	1	26. 1814.	8	2
„ of special appeal, presentation of, &c.	12	11	1	1	26. 1814.	2	3
„ „ „ to be presented within three months after the decree,	.	.	.	2	..	8	11
„ of summary appeals, presentation of,	12	12	1	1	13. 1808.	4	2
„ „ „ stamp duty for,	12	12	2	3	26. 1814.	3	7
„ „ „ limitation for presenting,	12	12	1,2	1,2	13. 1808. 26. 1814.	4 3	1 5
„ „ „ to be accompanied by copy of order,	12	12	2	4	..	3	6
„ from court of wards to S. D. A., rules for presenting,	13	3	0	11	10. 1793. 52. 1803.	32 36	2 2
„ in appeals to S. D. A., may be presented to P. C.	13	4	1	1	12. 1797. 5. 1803.	3 10	1, 2
„ „ „ may be received by S. D. A. direct,	.	.	.	2	5. 1805.	12	
„ „ „ what to specify,	13	4	2	1	6. 1793. 5. 1803.	10 10	3
„ „ „ do. after rejection by P. C. A.	13	4	4	1	12. 1797. 5. 1803.	3 11	
„ „ „ to be accompanied by security for costs,	13	5	1	1	12. 1797. 6. 1793. 5. 1803.	3 10 10	7
PLAINT, form prescribed in suits to annul public sales,	4	6	2	..	11. 1822.	25	
„ form of, in suits instituted after 12 years,	2	1	2	..	2. 1805.	3	2
„ form of, generally in regular suits,	2	2	1	..	4. 1793. 5. 1803.	3 3	
„ filed on wrong stampt paper, may be rectified,	2	2	6	11	26. 1814.	6	1
„ by paupers, rules for,	3	3	1	10	28. 1814.	6	1
„ in suits against seapoys, what to specify,	3	4	2	1	15. 1816.	4	1
„ in ditto copy of, to be forwarded to commanding officer,	.	.	.	2	..	..	2
„ against native soldiers in actions for debt, rules for,	3	4	6	4	20. 1810.	24	
„ before *sudder aumeens*, rules for,	9	5	2	..	See Ann.		
„ before *moonsiffs* being litigious, liable to damages,	10	2	13	2	23. 1814.	40	
„ copy of, to be sent to Z. and C. Judges by additional registers,	8	2	1	8	2. 1821.	11	3
„ before *moonsiffs*, what to contain,	10	2	4	1	23. 1814.	17	
„ ditto rules for filing and registering,	.	.	.	2	..	18	
PLAINTIFFS and others, not amenable to criminal actions for perjury,	1	5	2	..	3. 1801. 7. 1813.	2 3	
„ to enter costs before the issue of process,	2	2	5	3	29. 1814.	14	6
„ neglecting suits for six weeks, to incur dismissal,	2	2	3	2	4. 1793. 3. 1803.	10 12	
„ to discharge the diet allowance of confined debtors,	2	3	4	2	..	8 10	
„ instituting the same suit twice, penalty,	12	3	0	3	14. 1817.	3	2
„ to institute certain suits *de novo* in Z, or C. C.	.	.	.	7	13. 1808.	5	2

PLEADERS, *See Vakeels*.

	Analysis. Chap.	Sec.	Cl.	Rule	Authority Reg.	Sec.	Cl.
Pleadings, rules for filing, &c.	2	2	6	1	4. 1793. 3. 1803.	5 5	
„ supplementary rules concerning, ...	.	.	.	5	..	..	
„ only to be admitted when necessary, ...	.	.	.	..	26. 1814.	6	3
„ language to be written in, ...	.	.	.	6	4. 1793. 3. 1803.	3 3	
„ to be legibly written, ...	.	.	.	7	26. 1814.	5	1
„ may be written on two sheets of stampt paper, ...	.	.	.	8	..	..	2
„ to be read before filing of exhibits, ...	2	2	7	2	..	10	1
„ to be marked according to the register of proceedings, ...	6	2	0	8	18. 1793. 13. 1803.	9 9	
„ rules for, before the commissioner of Cuttack, ...	11	2	0	4	5. 1818.	5	2
„ penalty for, irregularity in, ...	7	2	2	6	27. 1814.	7	3
„ inspection of, by *vakeels*, ...	7	3	0	1	..	9	1
„ rules for, before *sudder ameens*, ...	9	5	4	—	See Anal.		
„ rules for, in courts of *moonsiffs*, ...	10	2	8	3	23. 1814.	25	2
„ supplemental, not to be admitted by *moonsiffs*, ...	10	2	8	4	..	..	3
„ before *moonsiffs*, need not be on stampt paper, ...	.	.	.	5	..	..	4
„ do. not being filed, the trial to proceed, ...	.	.	.	6	..	..	5
„ before the superintendent of Cuttack, may be admitted on plain paper, ..	11	1	1	9	11. 1816.	9	
„ in summary suits before collectors, rules for, ...	11	8	0	7	14. 1824.	7	
„ in suits before collectors, in suits under 7, 1822, ...	11	10	3	4	7. 1822.	26	
„ in appeals from collectors, to the Board of Revenue, ...	11	10	5	2	7. 1822.	29	2
„ in appeals before the P. C. A., ...	12	9	7	2	26. 1814.	9	3
„ in suits before the S. D. A., to be signed by the register, ...	13	5	6	1	6. 1793. 5. 1803.	28 28	
Potentates, natives competent to confer *lakhiraj* grants, ...	4	5	5	1	14. 1825.	3	5
Pottahs, disputes concerning, to be settled in the civil court, ...	4	7	1	1	4. 1794. 51. 1795. 30. 1803.	6 9 9	
„ rates of, not to exceed the *pergunnah* standard, ...	.	.	.	2	4. 1794. 51. 1795.	7 10	
„ rates of, where no *pergunnah* standard exists, ...	.	.	.	6	5. 1812.	3	
„ of *khoddkasht ryots* when liable to cancelment, ...	.	.	.	7	8. 1793.	60	2
„ to specify rents exactly, ...	4	7	3	1	8. 1793. 30. 1803.	59 7	1
„ to specify what particulars, ...	.	.	.	3	..	56, 6	
„ form prescribed for, ...	.	.	.	4	5. 1812.	3	
„ distribution of, ...	4	7	4	1	8. 1793. 4. 1794. 51. 1795. 30. 1803.	59 5 7 11	
„ period of. *See Leases.*							
Precepts, of P. C. A., obedience to, enjoined to Z. or C. Judges, ...	1	11	0	6	5. 1793. 4. 1803	9 9	
„ of P. C., to be issued under seal of the court, ...	12	7	—	—	..	..	
„ of court to attach lands, what to specify, ...	3	8	0	2	5. 1827.	4	
„ of S. D. A., desiring P. C. or Z. and C. C. to readmit suits, ...	13	8	3	1 2	6. 1793. 5. 1803.	4 4	1 1
Princes, Native, suits instituted by,—Rules for, ...	3	5	1	1	4. 1816.	2	1
„ suits against, rules for, ...	.	.	.	2	..	..	2
Process of Z. and C. C. resistance to, penalty for, ...	1	5	3	—	See Anal.		
„ „ rules for issuing generally, ...	2	2	5	1	4. 1793. 3. 1803.	13 15	
„ „ expenses and languages of, ...	.	.	.	4	.. ..	20 21	
„ of P. C. resistance to, penalty and rules, ...	12	4	2	1	5. 1793. 4. 1803.	23 23	1
„ „ to be executed through Z. or C. Courts, ...	12	4	1	1	.. ..	15 15	
„ of S. D. A., to be returned direct by Z. and C. Judges, ...	1	11	0		6. 1793. 5. 1803.	13 13	
„ of S. D. A., form of returns to, by P. C.	12	13	4	2	6. 1793. 5. 1803.	14 14	
„ „ rules for executing, ...	13	5	4	1	.. ..	13 13	
„ „ resistance to, rules and penalties, ...	13	5	5	—	See Anal		
„ of superior Courts, how to be executed by Z. and C. C.	1	11	—	—	5. 1793 4. 1803.	16 16	

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
PROCESS of C. C. resistance to, rules extended to,	1	5	3	—	9. 1799.	2	
„ of courts on officers of Government, how to be issued,	3	1	4	—	See Anal.		
„ of courts, against *sepoys*, in actions of debt,	3	4	6	4	20. 1810.	24	
„ of additional registers, rules for issuing,	8	2	2	1	24. 1814.	12	4
„ „ „ resistance of, liable to the usual penalties,	.	.	.	2	..	..	5
„ of *sudder ameens*, to be signed by the Judge or Register,	9	2	0	1	23. 1814.	74	
„ not to issue against *moonsiffs*, except on proof of corruption,	10	1	3	2	..	10	2
„ nor against *sudder ameens*,	9	3	0	2	..	67	
„ of superintendent of Cuttack, rules for,	11	1	1	7	11. 1816.	7	
„ of the commission, to try European officers,	11	4	6	3	17. 1813.	11	
„ of Collectors, resistance to, rules and penalty,	1	5	4	—	14. 1793. 6. 1795. 27. 1803.	15 22 22	
„ „ for recovering arrears of revenue,	3	7	0	1	.. .. ..	5 11 11	
„ „ in summary suits,	11	8	0	4	14. 1824.	4	
„ „ in suits for *lakhiraj* lands, penalty for resisting,	11	9	1	15, 16	2. 1819.	14, 30	7
„ „ in suits, under Reg. VII. 1822, forms and rules,	11	10	3	2	..	21	
„ „ penalty for resisting in such cases,	11	10	3	9	7. 1822.	24	2
„ rules regarding resistance to, applicable to Reg. VII. 1828,	11	16	9	0	7. 1828.	25	
PROCLAMATION, for defendants not appearing in suits,	2	2	1	—	2. 1806.	3	
„ for sales of lands, in execution of decrees,	2	2	5	2	15. 1793. 20. 1795.	12 12	
„ for sales of other property in do. do.	2	2	6	3	7. 1825.	3	2
„ in summary suits, for arrears of rent,	5	1	1	8	8. 1819.	18	2
„ in the discovery of treasure,	5	15	0	1	5. 1817.	3	
„ by *moonsiffs*, for defendants absconding,	10	2	5	7	23. 1814.	22	2
„ for sale of distrained property,	10	6	8	6	7. 1799. 45. 1795. 28. 1803.	4 20 20	1
„ of judicial powers of Collectors, under Reg. VII. 1822,	11	10	1	2	7. 1822.	16	
„ „ of do. in summary suits,	.	.	.	8	..	20	2
PRODUCE, annual, defined,	1	6	2	—	4. 1793. 3. 1803.	3 3	
PROPERTY, unclaimed, rules concerning,	4	11	0	1	5. 1799. 3. 1803.	7 16	7
„ not attachable for arrears,	10	6	7	3	See Anal.		
„ distrained, rules for.—See Distrained.							
PROVINCES.—See Bengal, Behar, Orissa, Oude, and Doab.							
PROVINCIAL COURTS, established in Calcutta, Patna, Dacca, and Moorshedabad,	12	1	1	1	5. 1793.	2	
„ „ of Bengal &c jurisdiction of,	.	.	.	2	..	3	
„ „ established in Benares and jurisdiction,	11	1	2	1	9. 1795.	2, 3	
„ „ established at Bareilly and jurisdiction,	12	1	3	1	4. 1803.	2, 3	
„ „ to consist of four Judges,	12	2	1	1	5. 1814.	2	2
„ „ place of holding,	12	2	2	1	5. 1793. 4. 1803.	4 4	
„ „ sittings of failure to be reported to S. D. A.	.	.	.	2	13. 1810.	5	
„ „ two Judges of, to form a court of appeal,	.	.	.	3	17. 1793. 15. 1793.	3 3	
„ „ single Judges may hold sittings of,	.	.	.	4 5	13. 1810. 25. 1814.	2 6, 7	2
„ „ seal of,	10	2	3	1	5. 1793. 4. 1803.	5 5	
„ „ adjournment of, during holidays,	10	2	4	1	3. 1798. 8. 1805	10 13	
„ „ may dispense with holidays,	.	.	.	2	1. 1806.	10	
„ „ powers of single Judges of.—See *Judges*.	12	2	6	—	See Anal		
„ „ may re-examine wsses and qualify orders of single Judges,	.	.	6	11	1. 1807	7	
„ „ of Dacca, may be divided into two courts,	12	2	10	1	4. 1802	2	
„ „ sittings of do. so divided,	.	.	.	3	..	3	
„ „ may return suits, rejected by Z. or C. C.	2 12	1 3	1 0	0 1	5. 1793. 4. 1803.	7 7	
„ „ to admit and try suits, above 5,000 Rs.	.	.	.	2	13. 1808	3	1
„ „ may remove suits above 5,000 Rs. to their own court,	.	.		3	19. 1817.	3	2
„ „ to try suits above 1,000 Rs. referred by S. D. A.	.	.	.	4	25. 1814. 19. 1817.	3 3	1 1
„ „ to try suits for *lakhiraj* lands, above 500 Rs.	.	.	.	5	2. 1819.	25	
„ „ to enquire whether suits be cognizable,	.	.	.	6	13. 1808	5	1
„ „ to try suits for recovering penalties for illegal loans,	.	.	.	8	7. 1823	8	

		Analysis.				Authority.		
		Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
Provincial Courts,	to try all suits, referred by S. D. A.	12	3	0	10	5. 1793. 4. 1803.	6 6	
" "	to refer to S. D. A. remonstrances to orders,	12	4	1	3	10. 1796. 22. 1803.	2 2	
" "	trial of suits *exparte* by,	.	.	.	4	5. 1793. 4. 1803.	17 17	
" "	to forward to Gov. Gen. in C. copies of decrees of forfeiture,	12	4	2	1	..	23 23	1
" "	to order lands forfeited to be attached,	.	.	.	3	..	23 23	3
" "	only to allow authorized *vakeels* to plead,	12	5	2	—	..	22 22	
" "	may instruct Z and C Judges to take depositions,	12	5	3	3	13. 1808.	9	
" "	to prepare interrogations for wtsses. at a distance,	.	.	.	4	26. 1814.	11	
" "	may give general instructions instead of sending interrogatories,	.	.	.	5	19. 1817.	11	
" "	may authorize circuit Judges to take evidence,	.	.	.	6	13. 1808.	10	
" "	to try suits generally on the rules for Z. and C. C.	12	5	4	—	5. 1793. 4. 1803.	11 11	
" "	may execute decrees through Z. and C. C.	12	6	1	1	5. 1793. 4. 1803.	6, 27 6, 27	
" "	to execute their own decrees in their immediate jurisdiction,	.	.	.	3	2. 1821.	8	
" "	may apply to revise decisions,	12	6	2	1	26. 1814.	4	2
" "	rules for admitting appeals from themselves,	12	6	3	1	6. 1793. 5. 1803.	10 10	8
" "	to forward records of cases, appealed to S. D. A.	.	.	.	3	..	11 11	
" "	correspondence and precepts of,	12	7	0	1	5. 1793. 4. 1803.	9 9	
" "	cognizance of regular appeals by.—See *Appeals*.	12	8	—	..	See Anal.		
" "	may admit petitions of appeal direct,	12	9	3	2	2. 1805.	12	
" "	may require further security, pending appeals,	12	9	5	2	3. 1802. 4. 1803.	2 12	8
" "	may require respondents to file answers,	12	9	7	1	26. 1814.	9	2
" "	may require further evidence in appeals, rules,	12	9	8	1	5. 1793. 4. 1803.	18 18	
" "	where no rules exist, to act according to equity,	12	9	10	3	5. 1793. 4. 1803.	32 32	
" "	may recommend S. D. A. to admit special appeals,	12	9	11	1	9. 1819	3	2
" "	cognizance of special appeals by,	12	10	—	—	See Anal.		
" "	may require papers before admitting special appeals,	12	10	2	4	9. 1819.	4	
" "	may be ordered to admit rejected special appeals,	.	.	.	5	..	3	
" "	rejecting appeals, may return a portion of the stamp duty,	12	11	4	1	26. 1814.	2	5
" "	may return cases specially appealed for re-trial,	12	11	5	1	19. 1817.	7	2
" "	may order Z. and C. C. to return stamp duty, in certain cases,	12	12	1	4	26. 1814.	7	2
" "	proceedings of, on summary appeals,	12	12	2	5	..	3	8
" "	may order suits to be revived on summary appeals,	.	.	.	6	..	..	9
" "	may impose a fine on groundless summary appeals,	.	.	.	7	..	..	10
" "	may send for and try appeals from registers in absence of Judges,	12	13	1	1	2. 1805.	14	3
" "	orders of, on charges against officers of Z. and C. C.	12	13	2	1,2	13. 1796. 12. 1803.	9 12	4, 6 4, 6
" "	may try charges of embezzlement against its officers,	12	13	3	1	18. 1817.	7	2
" "	to execute orders or precepts of S. D. A.	12	13	4	1	6. 1793. 5. 1803.	13 13	
" "	not to furnish translations, till required by S. D. A.	12	13	5	1	2. 1801. 5. 1803.	2 29	
" "	final judgments of,	12	13	6	1	5. 1798. 5. 1803.	2 10	1
" "	to confirm appointments of native officers, in Z. or C. C.	6	1	1	1	8. 1809.	7	1
" "	to prevent creditors of Z. or C. Judges becoming officers of their courts,	6	1	2	1	21. 1814.	2, 3	
" "	to prevent private servants being publicly employed,	.	.	.	1	8. 1825.	3	
" "	to appoint their own *vakeels*,	7	1	1	1	27. 1814	3	1
" "	to remove their own *vakeels*,	7	2	3	1	..	10	1
" "	to sanction appointments of *sudder ameens*,	9	1	0	4	23. 1814.	63	
" "	may increase the number of *moonsiffs*,	10	1	1	4	2. 1821.	2	
" "	may change and alter stations of *moonsiffs*,	.	.	.	5	23. 1814.	7	
" "	to sanction removal of *moonsiffs*,	10	1	2	4	..	9	1
" "	of Calcutta, authority of, suspended from Cuttack,	11	2	0	1	5. 1818.	2	
" "	to forward regulations proposed by Z. and C. Judges to the S. D. A.	4	18	2	4	23. 1793 9. 1803.	6 6	

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
PROVINCIAL COURTS, may amend drafts of regulations by Z. and C. Judges,	4	18	2	5	23. 1793.	7	
					9. 1803.	7	
PUNDITS. *See Law Officers.*							
PURCHASERS, auction may appeal against recommendations of courts for compensation,	4	6	2	—	11. 1822.	26	
„ „ to receive interest on restoration of lands,	.	.	.		..	27	2
„ „ only to be ousted by decrees of court,	4	6	2		..	20	1
„ „ rights of in regard to under-tenants,	5	6	5	—	See Anal.		
„ „ rights of to annul engagements of tenants,	.	.	.		..	29	
„ „ not to oust *ryots* having rights of occupancy,	.	.	.		..	30	
„ „ to issue notice for enhancing rents,	.	.	.		..	32	
„ „ to receive back purchase money on reversion of sales in execution of decrees,	2	2	6	5	7. 1825.	3	4
„ „ of *putnee talooks*, rules for indemnifying in certain cases,	4	9	3	6	8. 1819.	14	1
„ „ of distrained property, persons prohibited being,	10	6	9	4,5	17. 1793.	25	
					45. 1795.	22	&c.
					28. 1803.	22	&c.
„ „ of do. rules for paying purchase money,	.	.	.	6	35. 1795.	7	
					45. 1795.	24	
					28. 1803.	24	
PUTNEE TALOOKS, miscellaneous cases concerning,	5	12	—	—	8. 1819.		
„ „ process for obtaining possession of, on resistance,	5	12	2	—	..	15	
„ „ liable to sale for arrears of rent,	4	9	3	1	..	3	3
	5	1	1	9			
„ „ declared to be legal and valid,	4	9	1	1	..	2	
„ „ transferable and answerable for debts,	.	.	.	2	..	3	1
„ „ conditions attached to the leases of,	4	9	2	1,2	..	3, 4	2
„ „ conditions on the private transfer of,	4	9	2	3	..	5	
„ „ transfer of, on judgments of court, rules,	.	.	.	5	..	7	
„ „ to be sold as created, *(Exception.)*	4	9	5	1	..	4	1
„ TALOOKDARS, disputing demands for arrears, rules,	5	12	3	—	..	14	2
„ „ competent to let out their lands, conditions,	4	9	2	1	..	3	2
„ „ may stay sales on paying demands,	4	9	4	1	..	10	2
PUTTERDARS, in Benares, may receive forfeited lands from the Gov. Gen. in C.	12	4	2	5	9. 1795.	9	2
PUTWARIES, suits by, against Collectors uncognizable,	1	4	0	8	12. 1817.	34	
„ refusing to produce accounts,	2	2	8	3	..	24	
„ authority of Collectors to confine,	1	12	0	4	..	23	
„ jurisdiction of special commission over,	11	5	4	9	1. 1821.	9	
„ rules concerning, in *lakhiraj* land cases before Collectors,	11	9	1	11	2. 1819.	12	
PYEKASHT *Ryots*. *See Ryots.*							

Q.

QUINQUENNIAL REGISTERS, to be attested by Z. and C. Judges,	1	13	0	2	48. 1793.	16	
					48. 1793.	30	
„ „ suits to alter cognizable by courts,	1	4	0	—	19. 1795.	28	
					42. 1803.	44	

R.

RAJA of Benares, superintendent in the family lands of,	11	16	0	1	7. 1828.	3	
„ „ to administer justice in his own lands,	1	3	1	2	15. 1795.	3	
	11	16	0	2	7. 1828.	4	
„ „ decisions of, subject to revision by the superintendent,	.	.	.	3	..	7	
„ „ to consult the superintendent in appointing and removing *moonsiffs*,	.	.	.	5, 6	..	17, 18	
RAMGHUR, exempted from certain rules concerning *pottahs*,	4	7	7	1	4. 1794.	2	
RAZEENAMEHS, stamp duty to be returned on filing,	2	3	1	3, 4	26. 1814.	25	1, 2
„ similar rules, before *sudder aumeens*,	9	5	1	3	13. 1824.	3	3
„ not to deprive *moonsiffs* of such duty,	10	2	3	3	3. 1817.	4	
RECEIPTS, to be given for rents,	4	7	6	3	8. 1793.	63	1
„ to be given by *vakeels* for all documents,	7	3	0	5	27. 1814.	36	
„ for deposits of fees, rules concerning,	7	6	1	2	..	23	2
„ to be given by *vakeels* on stamp paper, for fees,	7	6	7	1	..	25	3
„ for fees not exceeding 64 Rs. one sufficient,	.	.	.	2	19. 1817.	10	2
RECORD KEEPERS, to sign solemn declaration on taking office,	6	1	5	3	18. 1817.	3	
„ „ two to be attached to every court,	6	2	0	1	18. 1793.	2	
					13. 1803.	2	
„ „ offices of, not to be considered hereditary,	.	.	.	2	..	3	
					..	3	
„ „ to keep a register of all proceedings,	.	.	.	3	..	4	
					..	4	
„ „ to preserve records from damp, &c.	.	.	.	5	..	6	
					..	6	

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
RECORD KEEPERS, liable to dismissal for losing records, ...	6	2	0	6	18. 1793.	7	
					13. 1803.	7	
" " to obey regulations and orders of court, ...	.	.	.	7	..	8	
					..	8	
" " to record daily proceedings of courts, ...	.	.	.	8	..	9	
					..	9	
REFERENCE of suits to Registers, Collectors, &c. *See Suits.*							
" to S. D. A. on Z. and C. Judges objecting to orders of P. C. A.	1	11	0	3	10. 1796.	2	
					22. 1803.	2	
" to law officers on points of native law, forms, ...	2	2	9	3	4. 1793.	16	
					3. 1803.	17	
" of matters for investigation to *sudder aumeens*, ...	2	2	10	2	23. 1814.	75	1
" of do. do. to *moonsiffs*, ...	.	.	.	6	..	50	1
REGISTERS, quinquennial alterations in, may be sued for, ...	1	4	0	4	18. 1793.	30	
					19. 1795.	28	
					42. 1803.	44	
" of lands may be required for inspection by courts, ...	2	2	10	15	8. 1800.	15	
					42. 1803.	26	3
" of *peons* to be kept, ...	6	1	7	8	26. 1814.	14	2
" of the court's proceedings how to be kept and attested, ...	6	2	0	3	18. 1793.	4	
					12. 1803.	4	
" to be kept of daily proceedings in courts, ...	.	.	.	8	..	9	
					..	9	
" similar to be kept by P. C.	.	.	.	9	..	13	
					..	12	
" of proceedings and decisions to be kept by S. D. A.	.	.	.	10	..	17	
					..	15	
" of appeals to be kept by *sudder aumeens*, ...	9	4	2	2	23. 1814.	75	3
" to attest, registers of proceedings, ...	6	2	0	3	18. 1793.	4	
					12. 1803.	4	
" to take an oath on appointment, ...	8	1	1	1	13. 1793.	3	1
					12. 1803.	3	1
" to perform duties prescribed by Judges, ...	.	.	.	2	..	5	
					..	5	
" to execute all orders of court, ...	.	.	.	3	..	8	
					..	8	
" to receive a salary instead of fees, ...	.	.	.	4	2. 1821.	13	
" only to act and try suits according to the regulations, ...	.	.	.	5	4. 1796.	6	
					12. 1803.	16	
" duties of, on the death or illness of Judges, ...	8	1	2	1	..	5	
					..	16	
" duties with regard to suits, in such cases, ...	.	.	.	2	2. 1805.	14	2
" rules for trial of suits in such cases, ...	.	.	.	3	..	..	3
" competent to try suits for 500 Rs.	8	1	3	1	24. 1814.	8	1
" additional powers of, ...	8	1	4	1	..	9	2
" power to try appeals from *sudder aumeens* and *moonsiffs*, ...	.	.	.	3	..	..	4
" power to try suits above 500 Rs.	.	.	.	4	..	..	6
" extra powers of, may be revoked, ...	.	.	.	5	..	..	12
" power to try appeals from Registers, ...	.	.	.	6	9. 1819.	8	1
" qualifications for such power, ...	.	.	.	7	..	..	2
" may execute decrees of *moonsiffs*, ...	8	1	5	1	2. 1821.	7	2
" power to try summary suits, generally, ...	.	.	.	2	..	9	
" may try summary suits, on indigo engagements, ...	.	.	.	3	6. 1823.	6	
" not to refer summary suits to collectors, ...	8	1	6	1	19. 1817.	14	
" commitment of persons for perjury by, ...	.	.	.	2	17. 1817.	14	2
" may propose deputations of *moonsiffs* to the Judge, ...	.	.	.	3	23. 1814.	77	
" may be employed in issuing processes and taking depositions, ...	8	1	7	1	24. 1814.	11	1
" may employ assistants, &c. in taking depositions, ...	.	.	.	2	..	..	2
" to make all translations required, ...	.	.	.	3	17. 1797.	4	
" may be deputed into the district, ...	.	.	.	4	11. 1824.	2	
" remuneration in such cases, ...	.	.	.	..	..	3	
" to sell *putnee talooks*, for arrears of rent, ...	.	.	.	5	8. 1819.	9	
" to be guided by Collectors' decisions in certain cases, ...	4	10	8	6	7. 1822.	31	2
" not to register deeds unauthorized for registration, ...	8	4	1	5	20. 1812.	7	
" to appoint substitutes for registering deeds, ...	8	4	7	1	4. 1824.	2	
" misconduct of, to be reported to S. D. A.	8	2	5	2	13. 1793.	10	
					12. 1803.	13	
" ADDITIONAL, appointment of, ...	8	2	1	1	24. 1814.	12	2

		Analysis.				Authority.		
		Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
REGISTERS, ADDITIONAL,	station of,	8	2	1	2	24. 1814.	12	3
„ „	powers of,	.	.	.	3	..	..	6
„ „	original powers of, in summary suits,	.	.	.	4,5	24. 1814. 2. 1815.	12 2	7
„ „	to send proceedings in such cases to the Judge,	.	.	.	6	..	4	
„ „	original powers of regular suits and appeals,	.	.	.	7	2. 1821.	11	2
„ „	to send copy of plaints to Judges,	.	.	.	8	..	..	3
„ „	original power to execute decrees of *moonsiffs*,	.	.	.	9	..	12	
„ „	may be vested with original powers generally,	.	.	.	10	3. 1824.	2	1
„ „	in such cases to follow general rules,	.	.	.	11	..	..	2
„ „	process of. *See Process*,							
„ „	periodical reports of. *See Reports.*							
„ „	correspondence of. *See Correspondence.*							
„ „	to obey directions of the S. D. A.	8	2	5	1	24. 1814.	12	4
REGISTER of S. D. A.	to call special meetings of the court,	8 13	3 1	0 1	1 4	2. 1801.	6	
„ „	to sign and attest all precepts of court,	8	3	0	2	See Anal.		
„ „	to submit monthly reports of cases to the court,	.	.	.	3	37. 1795. 13. 1803.	2, 3 18, 19	
„ „	to submit half yearly reports to the court,	.	.	.	4	.. ..	4, 5 20, 21	
„ „	to notice all omissions in such reports,	.	.	.	5	.. ..	6 23	
„ „	to examine wases. for the court,	.	.	.	6	6. 1793. 5. 1803.	16 16	
„ „	to sign proceedings of court, and copies of orders,	13	5	6	1	25. 1814.	8, 16	
„ „	to make translations required,	.	.	.	3	2. 1801.	17	
„ „	to sign all orders of the court,	13	5	11	1	6. 1793. 5. 1803.	6 6	
REGISTRY OF DEEDS,	office appointed for,	8	4	1	1	36. 1793. 17. 1803.	2 2	
„	deeds admissable to,	.	.	.	2,3 4,5	See Anal.		
„	hours appointed to be proclaimed,	8	4	2	1	36. 1793. 17. 1803.	13 13	
„	separate books to be kept for,	.	.	.	3	..	8, 8	
„	date of, to be endorsed on deeds,	.	.	.	4	..		
„	rules for presenting deeds for,	.	.	.	5	20. 1812.	2	
„	rules for recording,	.	.	.	7	..		
„	to be made on the day of endorsement,	.	.	.	9	..		
„	certificate of sufficient evidence,	.	.	.	10	3. 1793. 17. 1803.	11 11	
„	inspection of copies to be allowed,	8	4	3	1	20. 1812.	2	4
„	inspection of books to be allowed,	.	.	.	2	36. 1793. 17. 1803.	11 11	
„	penalty for counterfeiting books of,	8	4	4	1	.. ..	12 12	
„	validity given by,	8	4	5	—	See Anal.		
„	books of, to contain an index,	8	4	4	2	20. 1812.	2	4
„	fees for,	8	4	6	—	36. 1793. 17. 1803. 20. 1812.	14 14 4	
„	to be superintended by the Judge, on the absence of Registers,	8	4	7	2	4. 1824.	3	
„	when valid by others than Registers,	8	4	7	5	..	6	
REGULAR SUITS. *See Suits*,		2	—	—	—	See Anal.		
REGULATIONS,	to be copied by *vakeels*.	7	3	0	8	11. 1806.	12	
„	suspended in certain *muhals* of Cuttack,	11	1	1	1	12. 1805 14. 1805.	26 11	
„	suspended in certain *muhals* of Rungpore,	11	3	0	1	10. 1822.	2	
„	may be proposed by commissioners to try charges against European officers,	11	4	7	2	17. 1813.	7	
„	may be proposed by the special commissioners,	11	6	6	1	1. 1821.	12	2
„	references to the S. D. A. concerning,	12	4	1	3	10. 1796. 22. 1803.	2 2	
„	to be interpreted by the S. D. A.	13	17	0	1	.. ..	3 3	
„	when doubtful, new may be proposed by,	.	.	.	2	.. .. ..	4 4	
„	may be proposed by Judges,	4	18	1		23. 1793. 9. 1803.	2 2	

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
REGULATIONS, Z. or C. Judges to forward draft of, to P. C. A.	18	2	1		..	3	
					..	3	
„ draft of, to be forwarded by the register or assistant,	.	.	.	2	..	4	
					..	4	
„ draft of, to be returned if incorrect,	.	.	.	3	..	5	
					..	5	
„ draft of, to be sent to the S. D. A.	.	.	.	4	..	6	
					..	6	
„ drafts of, by Z. or C. Judges, may be amended by P. C. A.	.	.	.	5	..	7	
					..	7	
„ drafts of, to be forwarded to Gov. Gen. in C.	.	.	.	7	..	9	
					..	9	
„ may be proposed by provincial Judges,	4	18	3	1	..	11	
					..	11	
„ may be proposed by S.D . A.	4	18	4	1	..	14	
					..	14	
„ to be sanctioned or rejected by Gov. Gen. in C.	4	18	5	1	..	15	
					..	15	
„ to be generally followed in the Benares Rajmuhauls,	11	16	0	10	7. 1828.	26	
REJOINDER, not being filed, trial to proceed,	2	2	6	3	26. 1814.	6	2
„ rules for filing in the courts of *moonsiffs*,	10	2	8	4	23. 1814.	25	3
„ *See Pleadings.*							
REMOVAL of property under attachment, penalty,	2	2	4	2	2. 1806.	5	2
RENTS, enhancement of, by auction purchasers,	4	6	5	5	11. 1822.	33	
„ to be specified in *pottahs*,	4	7	3	1	8. 1793.	37	1
					30. 1803.	7	1
„ to be specified when payable in kind,	.	.	.	2	..	..	2
					..	..	2
„ rules for the discharge of,	4	7	6	—	See Anal.		
„ increase of an alluvial land, rules,	4	15	0	3	11. 1825.	4	1
„ to be paid before other claims, upon crops,	10	6	7	2	7. 1799.	9	
					28. 1803.	17	2
REPLIES. *See Pleadings.*							
„ rules concerning, in courts of *moonsiffs*,	10	2	8	3	23. 1814.	25	2
REPORTS from officers, not to be received in suits,	2	2	10	1	4. 1793.	16	
					3. 1803.	17	
„ to be made of vacancies in places of native officers,	6	1	1	2,3,4	8. 1809.	7	2
					5. 1804.	6, 7	
„ monthly of decisions, by Z. and C. C.	6	3	1	1	18. 1793.	11	
					13. 1803.	10	
„ forms of such,	.	.	.	2,3	37. 1795.	7	2
					8. 1794.	10	
					13. 1803.	17	
„ monthly of decisions of P. C.	6	3	2	1	18. 1793.	16	
					13. 1803.	13	
„ forms of such,	.	.	.	2	37. 1795.	7	4
					13. 1803.	23	4
„ half yearly of suits, pending before P. C.	6	3	3	1	18. 1793.	12	
					13. 1803.	11	
„ forms of such,	.	.	.	2,3	8. 1794.	10	
					37. 1795.	7	3
„ half yearly, of suits pending before Z. & C. C.	6	3	4	1	18. 1793.	16	
					13. 1803.	14	
„ forms of such,	.	.	.	2	37. 1795.	7	5
					13. 1803.	23	5
„ half yearly, of suits pending before S. D. A.	6	3	5	1	18. 1793.	18	
					13. 1803.	16	
„ by additional registers, rules for,	8	2	3	1	24. 1814.	12	10
				2	3. 1824.	2	3
„ of suits before *sudder aumeens*,	9	7	—	—	See Anal.		
„ of suits and decisions before *moonsiffs*,	10	4	0	1, 3	23. 1814.	43	1, 2
„ monthly of stamp duty returned to pff. by *sudder aumeens*,	9	5	1	3	13. 1824,	3	3
„ monthly of stamp duty, to be appropriated by *moonsiffs*,	10	4	0	2	23. 1814.	49	2, 3
„ inspection of by S. D. A.	8	3	0	3	See Anal.		
„ from special commission, in revenue cases,	11	15	7	10	3. 1828.	8	
REQUESTS, COURTS OF, to try actions of debt against British soldiers,	3	4	6	2	20. 1825.	4	1
„ „ execution of decrees, in the 24-Pergunnahs,	11	7	2	—	10. 1812.	2	
RESISTANCE, to process. *See Process.*							
„ to attachment. *See Attachment.*							

	Analysis.				Authority.		
	Chap	Sec.	Cl	Rule.	Reg.	Sec.	Cl.
RESPONDENTS, pleading *in formâ pauperis*. Rules for, ...	3	3	3	1, 2	28. 1814.	16	1, 2
„ may conduct their own cases in Cuttack, ...	11	1	2	6	11 1816.	15	
„ in appeals to the Board of Revenue, need not attend, ...	11	10	5	4	7. 1822	29	4
„ option of, to file answers, in appeals, ...	12	9	7	1	26. 1814.	9	2
„ need not attend in summary appeals, ...	12	12	2	5	26. 1814.	3	8
RESUMPTION OF LANDS, suits against, cognizable within one year, ...	2	1	2	22	2. 1819.	24	
REVENUE, European officers of, rules for trying on charges of corruption. *See Corruption.*	11	4	1	2	17. 1813.	5	2
See Arrears, and Board.							
REVISION, of decisions. *See Decisions.*	1	8	—	—	See Anal.		
RUNGPOOR, certain *muhauls* of, exempted from regulations, ...	11	3	0	1	10. 1822.	2	
See Commissioner.							
RYOTS, having right of occupancy, not to be ousted by auction purchasers, ...	4	6	5	4	11. 1822.	32	
„ may oppose enhancement of rents, by auction purchasers, ...	.	.	.	5	..	33	
„ breaking engagements to cultivate indigo, penalty, ...	5	5	0	11	6. 1823.	5	1
„ in such cases to refund advances with interest, ...	.	.	.	12	..	..	2
„ *khoodcasht, chupperbun*, and *pyecasht*, in Benares, ...	4	7	1	3	51. 1795.	10	
„ *khoodcasht, pottahs* of, not to be cancelled, ...	.	.	.	7	8. 1793.	60	2
„ empowered to demand *pottahs*, ...	4	7	4	1	8. 1793. 51. 1795. 13. 1803.	59 7 23	3 3
„ refusing to take *pottahs*, rule of process, ...	.	.	.	2	4. 1794. 51. 1795.	5 7	
„ not to discharge rents till due, ...	4	7	6	1	7. 1799.	23	3
„ *khoodcasht* and resident in *putnee talooks*, not to be ousted, ...	4	9	5	3	8. 1819.	11	3
„ when to be decreed defaulters, ...	10	6	4	1	17. 1793. 45. 1795. 28. 1803.	3 5 5	
„ occupant to forfeit rights on arrears remaining unpaid, ...	5	1	3	2	7. 1799. 5. 1800. 28. 1803.	15 14 32	7 7 7
„ *khoodcasht* not to be ousted without a decree of court, ...	5	1	3	6	8. 1819	18	5

S.

SAHAR, *pergunnah* of, attached to *zillah* Agra, ...	1	1	4	1	12. 1806.	2	
SALES OF LAND, for arrears of revenue, conditions for validity, ...	4	6	1	—	11. 1822.	5	
„ „ not to be reversed for incomplete communication between the Board of Revenue and collectors,	.	.	.	6	..	6	3
„ „ not to be upset for insufficient notice, ...	.	.	.	7	..	7	4
„ „ notice for, retrospectively, ...	.	.	.	8	..	9	
„ „ made by the Board, not to be annulled for previous payment in the *zillah*, ...	.	.	.	9	..	10	2
„ „ only to be reversed on the plea of no arrears having been due, when such plea has been advanced, ...	.	.	.	10	..	..	3
„ „ not to be reversed on plea of dispossession, ...	.	.	.	11	..	11	
„ „ not to be reversed on collector's proceeding, as to the purchase, ...	.	.	.	12	..	17	
„ „ not to be reversed on the plea of some sharers being out of possession, ...	.	.	.	13	5. 1812.	24	
„ „ not to be reversed on the plea of the proceeds being greater than the arrear, ...	.	.	.	14	..	25	
„ „ not to be contested by persons receiving purchase money, ...	4	6	2	3	11. 1822.	27	1
„ „ under fictitious names to be cancelled, ...	4	6	3	1	..	28	2
„ „ may be made with restrictions of proprietary right, ...	4	6	5	3	..	31	
„ „ in satisfaction of decrees, forms for, ...	2	3	5	1	4. 1793. 24. 1795. 26. 1803.	2 2 16	
„ „ such may be countermanded or postponed by courts, ...	.	.	.	3	.. .. ..	16 16 24	
„ „ such may be reversed for irregularity, ...	2	3	5	5	7. 1825.	5	1
„ „ of general property in satisfaction of decrees, ...	2	3	6	1	..	2	2
„ „ officers to be employed in conducting such, ...	.	.	.	2	..	3	1
„ „ such may be reversed for irregularity, ...	.	.	.	4	..	..	3
„ „ rules for postponing, on claims to the property, ...	.	.	.	7	..	..	6
„ „ for decrees against sepoys, rules, ...	3	4	4	1	15. 1816.	8	
„ of the property of paupers for costs, ...	3	3	1	21	28. 1814.	11	4
„ of *putnee talooks* for arrears, rules for, ...	4	9	3	—	8. 1819.	3, 8	3
„ such to be made by Registers, ...	.	.	.	4	..	9	
„ such may be stayed, rules for, ...	4	9	4	1	..	13	2
„ of lands for arrears, pending appeals, rules for possession, ...	2	4	2	4	5. 1798. 4. 1803.	4, 5 14	1
„ of distrained property against regulations, penalty, ...	10	0	5	3	5. 1812.	13	

	Analysis				Authority.		
	Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
Sales of Distrained Property to take place five days after attachment, ...	10	6	8	6	7. 1799.	4	
					15. 1795.	20	
					28. 1803.	20	1
,, ,, of weavers &c. when to take place, ...	.	.	.	7	17. 1793.	31	
					7. 1799.	4	
,, ,, forms of, ...	10	6	9	1	17. 1793.	22	
					45. 1795.	20	
					28. 1803.	20	1
,, ,, to be postponed for proper price, ...	10	6	9	2	5. 1812.	19	
,, ,, expenses of, rules, ...	.	.	.	3	7. 1799.	5	
					28. 1803.	20	2
,, ,, persons prohibited purchasing at, ...	.	.	.	4	17. 1793.	24	&c.
					25. 1795.	22	&c.
					28. 1803.	22	&c.
,, of Lands, what to be annulled by the special commission, ...	11	5	1	3	1. 1821.	3	2
,, undue influence in, not necessary for such annulment, ...	.	.	.	5	1. 1823.	2	3
Salt Agents, amenable for official acts, ...	1	3	4	5	10. 1819.	13	1
,, ,, judicial authority of, ...	1	5	9	1			
	11	12	0	1	..	109	
,, ,, suits against, forms of, ...	3	1	1	3	..	13	2
,, ,, and officers removed from stations, suits against, ...	3	1	3	3	..	16	
,, ,, to empower officers to give security for *molunghees* &c.	3	2	1	5	..	21	2
,, ,, liable to damages for compulsion, ...	3	2	6	2	..	8	
,, ,, responsible for compulsion by inferior officers, ...	.	.	.	5	..	10	
,, ,, may defend suits against their officers, ...	3	1	3	2	..	13	2
,, ,, to send persons convicted to the Judge, ...	1	12	0	2	..	111	
,, cases concerning, cognizable by Z. and C. C.	1	5	9	1	..	112	
,, trial of such, ...	.	.	.	3	..	113	
,, cases of, may be re-tried by order of the Board, ...	.	.	.	7	..	118	
,, decision of, and sentence in such cases, ...	.	.	.	6	..	115	
,, to remain attached in cases of appeal, ...	.	.	.	8	..	116	
,, officers, forms of suing, ...	3	2	1	2	..	24	
,, ,, summoned as witnesses, ...	3	2	2	2	..	27	
,, ,, may be required to attend when necessary, ...	.	.	.	3	..	28	
,, ,, when personally attached, notice to be given to the agent, ...	3	2	3	3	..	29	
,, ,, suits against the confiscation of, to be instituted within one month, ...	2	1	2	23	..	80	
Sayer, exactions of, courts to receive complaints against, ...	1	5	8	1	27. 1793.	11	
					4. 1795.	4, 8	
					11. 1803.	53	
Seal, of *zillah* and city courts, ...	1	2	2	1	3. 1793.	6	
					7. 1795.	6	
					2. 1803.	14	
,, of provincial courts, ...	12	2	3	1	5. 1793.	5	
					9 1795.	5	
					4. 1803	5	
,, of the Sudder Dewanny Adawlut, ...	13	1	1	2	6. 1793.	3	
Security, not to be required from commercial residents, ...	3	1	5	1	31. 1793.	22	
					27. 1803.	22	
,, when to be required from collectors of revenue in suits, ...	.	.	.	2	14. 1793.	36	
					6. 1795.	42	
					37. 1803.	39	
,, rules for taking, from weavers &c. in suits, ...	3	2	1	5	31. 1793.	10	2
					37. 1803.	10	2
,, similar rules concerning, for salt officers and *molunghees*, ...	.	.	.	6	10. 1819.	21	2
,, for retaining possession of *lakhiraj* lands resumed, ...	4	5	1	1	2. 1819.	22	
,, for attendance in regular suits, rules for, ...	2	2	3	1	2. 1806.	4	
,, form of bond in such cases, ...	.	.	.	2	11. 1797.	3	
					2. 1806.	4	
,, amount and extent of, ...	.	.	.	4	3. 1802.	2	
,, for executing decrees, to be taken on suspicion of intended evasion, ...	2	2	4	1	2. 1806.	5	1
,, money or Govt. obligations to be received as, ...	.	.	.	5	..	8	
,, may be taken from defaulters pending summary suits, ...	5	1	2	2	19. 1817.	16	2
,, to be filed by native officers charged with embezzlement, ...	5	11	0	1	18. 1817.	7	2
,, may be demanded from purchasers of *putnee talooks*, ...	5	12	0	1	8. 1819	6	
,, in such cases, to equal half the annual produce, ...	5	12	0	2	8. 1819.	5	
,, for the attendance of paupers, ...	3	3	1	10	28. 1814.	6	1
,, not to be required from the *nazim* of Bengal, ...	3	5	2	3	19. 1825	4	
,, for costs to be entered by residents of Calcutta, ...	3	6	0	1	9. 1819	7	1
,, from insolvent debtors on being released, ...	2	3	9	5	2. 1806	11	

	Analysis. Chap.	Sec.	Cl	Rule.	Authority. Reg.	Sec.	Cl.
SECURITY, for costs in appeals, rules concerning, ...	2	4	1	2	26. 1814.	8	2
„ for execution of decrees in appeals, ...	2	4	2	1,2	43. 1808.	11	
„ neither party being able to give such, rules, ...	.	.	.	5	5. 1798.	6	
					4. 1803.	12	9
„ such for money to cover interest, ...	.	.	.	7	26. 1814.	13	2
„ for possession of lands in disputes for inheritance, ...	4	10	0	3	5. 1799.		
					3. 1803.	16	
„ not to be required from prosecutors of native officers, ...	6	5	1	6	10. 1806.	10	
„ rules for, before *sudder ameens*, ...	9	5	3	—	See Anal.		
„ rules for, before *moonsiffs*, ...	10	2	7	1	23. 1814.	23	
„ of defaulters to cover the eventual demand, ...	10	6	8	3	5. 1812.	15	
„ for costs in appeals from the superintendent of Cuttack, ...	11	1	2	2	11. 1816.	12	
„ to delay execution of decrees by superintendent of Cuttack, ...	11	1	3	1	..	19	1
„ for final judgment, in appeals for do.	.	.	.	2	..	..	2
„ such not being filed, property to be attached, ...	.	.	.	3	..	..	3
„ from persons charging European officers with corruption, ...	11	4	2	2	17. 1813.	4	2
„ to delay execution of *lakhiraj* decrees by collectors, ...	11	9	2	5	2. 1819.	30	11
„ in regular suits before provincial courts, rules, ...	12	5	0	1	2. 1806.	7	
„ for costs to accompany petitions of appeal, ...	12	9	5	1	26. 1814.	8	2
„ supplementary may be required, pending appeals, ...	.	.	.	2	3. 1802.	2	
					4. 1803.	12	8
„ for costs in special appeals, rules concerning, ...	12	11	3	1	26. 1814.	2	4
„ for costs not to be required in summary appeals, ...	12	12	2	4	..	3	7
„ for costs, to accompany petitions of appeal to S. D. A.	13	5	1	1	12. 1797.	3	
					6. 1793.	10	
					5. 1803.	10	7
„ supplementary may be required by S. D. A.	.	.	.	2	12. 1797.	3	
					5. 1803.	10	9
„ for costs in appeals to the King in Council, rules, ...	13	6	0	4	16. 1797.	4	
„ to be given by managers of lands attached by courts, ...	3	8	0	1	5. 1827.	3	
SEHARUNPOOR, *zillah* court established in, ...	1	1	4	2	4. 1818.	2	1
„ *zillah* of, attached to the P. C. at Bareilly, ...	12	1	3	2	8. 1805.	8	
SEPOYS, instituting civil suits, rules for, ...	3	4	1	—	15. 1816.	3	
„ private causes of, exempt from such rules, ...	.	.	.	6	..	..	6
„ suits against, rules for instituting, ...	3	4	2	—	..	4	
„ obtaining furlough to produce certificate, rules, ...	3	4	3	1	..	5	1
„ appointment of *vakeels* for, ...	.	.	.	2	..	..	2
„ may conduct their own causes, ...	.	.	.	3	..	6	
„ leaving cases unfinished, rules, ...	.	.	.	6	..	7	3
„ lands of, rules for selling in satisfaction of decrees, ...	3	4	4	1	..	8	
„ these rules applicable to, if attached to the army, ...	3	4	5	1	..	10	2
„ actions of debt against, cognizable by a military court, ...	3	4	6	1	20. 1810.	22	
„ may receive an extension of leave to conduct suits, ...	3	4	3	5	15. 1816.	7	2
SERISHTADARS, to endorse copies of decrees, rules for, ...	2	3	2	5	26. 1814.	8	9
„ to subscribe solemn declarations on taking office, ...	6	1	5	1	18. 1817.	2	2
„ to endorse reports of stamp duty sent by *moonsiffs*, ...	10	4	0	2	23. 1814.	49	4
„ *See Officers*.							
SERVANTS, private, not to be employed publicly, ...	6	1	2	2	8. 1825.	2	1
„ and dependents of judges, punishable for extortion, &c.	1	5	10	1	13. 1793.	11	
					12. 1803.	14	
SILK MANUFACTURERS, rules for instituting suits against, ...	3	2	5	1	31. 1793.	14	
					37. 1803.	14	
SONK, *pergunnah* of, attached to *zillah* Agra, ...	1	1	4	1	12 1806.	2	
„ suits cognizable from what time in, ...	2	1	2	7	..	4	
SONSA, *pergunnah* of, attached to *zillah* Agra, ...	1	1	4	1	12. 1806.	2	
„ suits cognizable in, from what date, ...	2	1	2	7	..	4	
STAMP DUTY, in suits relating to contraband salt, exempted, ...	1	5	9	7	10. 1819.	98	
„ on petitions of appeal from collectors, ...	1	7	4	1	2. 1819.	30	7
„ on petitions for the review of judgments by courts, ...	1	8	3	—	2. 1825.	2	
„ on plaints in suits against resumption of lands, ...	4	5	1	1	2. 1819.	27	
„ on plaints generally in regular suits, ...	2	2	1	3	1. 1814.	13	
„ for bond of *hazirzaminy*, in regular suits, ...	2	2	3	3	16. 1824.	2	
					24. 1814.	19	
„ on pleadings, *razeenamahs*, &c.	2	2	6	4	1. 1814.	17	
„ two sheets of paper bearing, when to be used for pleadings, ...	.	.	.	8	26. 1814.	5	2
„ similar rule for miscellaneous petitions, ...	.	.	.	10	..	..	4
„ on filing exhibits, ...	2	2	7	5	1. 1814.	15,16	
„ on copies of decrees and orders, scale for, ...	2	3	2	4	..	19	
„ on miscellaneous petitions, ...	2	3	3	2	..	18	

	Analysis.				Authority.		
	Chap.	Sec	Cl.	Rule	Reg	Sec.	Cl.
STAMP DUTY, on indigo engagements, ...	5	5	6	17,18	6. 1821.	7,8	
,, on petitions of paupers, ...	3	3	1	3	28. 1814.	5	1
,, generally remitted to paupers, ...	.	.	.	14	..	8	
,, rules for returning to appellants, paupers being respondents, ...	.	.	2	7	2.	15	
,, on plaints before *sudder ameens*, ...	9	5	1	1	23. 1814.	70	
,, portion of, to be returned by *sudder ameens* on *razeenamahs*, ...	.	.	.	2	13. 1824.	3	2
,, to be returned on pffs. filing *razeenamahs* before hearing, ...	2	3	1	3	13. 1810.	11	1
					26. 1814.	25	1
,, portion to be returned if filed after hearing, ...	.	.		4	..	..	2
					..	..	2
,, in suits before *moonsiffs*, scale for, ...	10	2	3	1	23. 1814.	16	
					2. 1821.	3	3
,, to be taken as compensation by *moonsiffs*, ...	.	.	.	2	..	49	2
					..	3	3
,, to be appropriated by *moonsiffs*, in cases *razeenamaid*, ...	.	.	.	3	3. 1817.	4	
,, not to be so appropriated, in cases dismissed, &c.	.	.	.	..	23. 1814.	49	2
,, on exhibits being filed before *moonsiffs*, ...	10	2	11	2	..	38	2
,, remitted in suits before the superintendent of Cuttack, ...	11	1	1	9	11. 1816.	9	
,, on petitions in the court of Cuttack, discretionary, ...	11	2	0	6	5. 1818.	5	4
,, in summary suits before collectors, rules for, ...	11	8	0	8	14. 1824.	8	
,, on plaints in *lakhiraj* suits before collectors, ...	11	9	1	1,5	2. 1819.	30	1,5
,, in suits before collectors, under Reg. VII. 1822, ...	11	10	3	5	7. 1822.	27	
,, in appeals from collectors to the B. of Revenue, ...	11	10	5	1	..	29	1
,, on copies of decrees on appeals to B. of Revenue, ...	.	.	.	5	..	..	5
,, to be returned in special appeals returned for retrial, ...	12	11	5	2	19. 1817.	8	
,, to be returned by order of P. C. A. in certain rejected suits, ...	12	12	1	4	26. 1814.	7	2
,, in summary appeals, rules for, ...	12	12	2	3,4	..	3	6,7
,, to be taken on separate pleadings of appeal, ...	12	9	1	3	26. 1814.	8	5
,, on plaints in regular appeals, ...	.	.	.	4	1. 1814.	13	
,, on petitions of special appeal, ...	12	11	1	1	26. 1814.	2	3
,, rules for, on rejecting special appeals, ...	12	11	4	1	..	..	5
,, See Appendix to Chapter 2, notices in the text alone being here indexed.							
STAMPS, superintendent and collectors of, vested with judicial powers, ...	11	13	0	1	26. 1824.	17	
SUBURBS of CALCUTTA, *sillah* court established in, ...	1	1	1	5	14. 1814.	2	
SUCCESSION to PROPERTY, to take place without interference of the courts, ...	4	10	0	2	5. 1799.	3	
					3. 1803.	16	3
SUDDER DEWANNY ADAWLUT, number of judges to be attached to, ...	13	1	1	1	12. 1811.	2	
,, ,, station and seal of, ...	.	.	.	2	6. 1793.	3	
					5. 1803.	2,3	
,, ,, sittings of, rules concerning, ...	.	.	.	4	2. 1801.	5	
,, ,, two judges of, to constitute a court, ...	.	.	.	5	..	6	
,, ,, chief judge of, to have a casting vote, ...	.	.		6	25. 1814.	18	
,, ,, one judge of, on what occasion to hold a court, ...	13	1	2	1,2	13. 1810.	6	2
					25. 1814.	6, 14	
,, ,, power of the court to revise orders of single judges, ...	.	.	.	5	13. 1810.	4, 8	4, 1
,, ,, may call for, and try suits above 50,000 Rs.	13	2	0	1	25. 1814.	5	1
,, ,, may take deposition or refer to courts for such, ...	13	5	2	1	6. 1793.	16	
					5. 1803.	16	
,, ,, may transmit interrogations for witnesses, ...	.	.	.	2	26. 1814.	11	
,, ,, may instruct Z. and C. judges to take depositions, ...	.	.	.	3	19. 1817.	11	
,, ,, not to allow persons, other than parties, to plead, ...	13	5	3	1	6. 1793.	20	
					5. 1803.	20	
,, ,, empowered to suspend judges for neglect of orders, ...	13	5	4	1	..	13	
					..	13	
,, ,, to report decrees of forfeiture for resisting process, ...	13	5	5	1	..	24	
					..	24	
,, ,, rules for the proceedings of, ...	13	5	6	2	2. 1801.	16	
,, ,, to regulate its own proceedings and process, ...	13	5	7	2	..	6	
,, ,, to be guided generally by the rules for Z. and C. C.	.	.	.	3	6. 1793.	7	
					5. 1803.	7	
,, ,, to act according to equity, and good conscience, ...	.	.	.	4	..	31	
					..	30	
,, ,, may alter and reverse decisions appealed, ...	13	5	9	1	6. 1793.	9	
,, ,, may award interest from the date of decrees, ...	13	5	9	2	13. 1796.	3	
					5. 1803.	12	
,, ,, may order P. C. A. to admit special appeals, ...	13	7	1	10	9. 1819.	3	3
,, ,, may call for any papers before admitting special appeals, ...	13	7	2	2	..	4	
,, ,, may admit special appeals from P. C. A.	13	7	1	1	25. 1814.	5	3
,, ,, may admit summary appeals from P. C. A.	13	8	1	1	26. 1814.	3	2

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule	Reg.	Sec.	Cl.
SUDDER DEWANNY ADAWLUT, may order suits rejected by Z. and C. C. to be admitted, ...	2	1	1	4	6. 1793.	4	1
	13	8	3	1	5. 1803.	4	1
" " may order P. C. A. to admit rejected appeals, ...	.	.	.	2	..	5	1
					..	5	1
" " may order enquiry to be made as to the age of minors, ...	13	8	4	1	10. 1793.	5	2
					52. 1803.	9	2
" " may order enquiry as to the disqualification of landholders, ...	.	.	.	2	..	5	3
					..	9	3
" " to decide on the qualification of landholders, ...	.	.	.	4	..	..	5
					..	..	5
" " to order enquiry on the petitions of disqualified landholders, ...	.	.	.	3	..	..	6
					..	..	6
" " to confirm or annul the appointment of guardians, ...	13	8	5	1	1. 1800.	7	
					8. 1805.	29	14
" " rules for receiving charges against native officers of P. C.	13	9	1	1	13. 1793.	9	2
					12. 1803.	12	2
" " similar rules regarding officers of Z. and C. C.	.	.	.	2	..	..	3
					..	..	3
" " may try such charges itself, ...	.	.	.	3	..	..	5
					..	..	5
" " may authorize P. C. A. to try such charges, ...	.	.	.	4	..	..	6
					..	..	6
" " similar orders for law officers, ...	.	.	.	5	..	8	1
					..	8	1
" " may receive charges against its own officers, ...	13	9	2	1	13. 1793.	7	
					12. 1803.	7	
" " as also against its own law officers, ...	.	.	.	2	12. 1793.	8	1
					11. 1803.	8	1
" " may institute summary enquiries into embezzlement, ...	13	9	3	1	18. 1817.	7	2
" " as also for withholding accounts, ...	.	.	.	2	..	..	4
" " may order Z. and C. judges to proceed on petitions rejected by them, ..	13	10	0	1	2. 1798.	7	
" " may pass such orders to P. C.	.	.	.	2	..	8	
" " may suspend judges neglecting or making false returns to precepts, ..	13	11	1	1	6. 1793.	13	
					5. 1803.	13	
" " may suspend Z. and C. C judges for similar disobedience to P. C. ..	.	.	.	2	5. 1793.	15	
					4. 1803.	15	
" " to report misconduct of public officers, ...	13	11	2	1	2. 1801.	7	
" " to report the qualification of registers for extra powers, ..	13	12	0	1,2	24. 1814.	9	2
					9. 1819.	8	1
" " to make similar reports of *sudder ameens*, ...	.	.	.	2	2. 1821.	8	1
" " may remove suits above 5,000 Rs. from Z. and C. C. to P. C.	13	13	0	2	19. 1817.	3	2
" " may grant permission to revise judgments, ...	13	14	0	1	25. 1814.	5	5
					26. 1814.	4	2
" " may adjourn courts for one month, ...	13	15	0	1	6. 1793.	23	
					5. 1803.	23	
" " may adjourn for or dispense with holidays, ...	.	.	.	2	3. 1798.	3	
" " may dispense with vacations in lower courts, ...	.	.	.	3	1. 1806.	10	
" " may authorize the employment of persons to make translations, ...	13	16	0	1	19. 1797.	4	
" " to explain regulations on references, ...	13	17	0	1	10. 1796.	3	
					22. 1803.	3	
" " may propose new regulations, ...	13	17	0	2	..	4	See
	4	18	4	1	..	4	Anal.
" " to forward drafts of regulations to Gov. Gen. in C.	4	18	2,3	7,2	20. 1793.	9	
					9. 1803.	9	
" " may require information concerning new regulations, ...	.	.	.	8	..	10	
					..	10	
" " to return drafts that are incorrect as to form, ...	4	18	3	3	..	13	
					..	13	
" " may remove suits above 1000 Rs. from Z. and C. C.	1	6	1	5	25. 1814.	3	1
	13	13	0	1			
" " to decide upon the competency of courts, ...	2	1	1	2	3. 1793.	16	
					2. 1803.	9	
" " to approve the selection of administrators to disputed estates, ...	4	10	0	4	5. 1799.	5	
					3. 1803.	16	5
" " may remove any native officers of Z. and C. C.	6	1	1	9	8. 1809.	13	
" " to confirm the appointment and removal of *kazies*, ...	6	5	2	3	..	4	1
" " to appoint its own *vakeels*, ...	.	1		1	27. 1814.	3	1
" " may remove its own *vakeels* for misconduct, ...	7		3	1	..	10	1
" " special meetings of, to be called by the register, ...			0	4	2. 1801.	56, 3	
					5. 1803.	22, 3	

	Analysis. Chap.	Sec.	Cl.	Rule	Authority. Reg.	Sec.	Cl.
SUDDER DEWANNY ADAWLUT, to confirm fines for resisting process of the superintendent of Cuttack, ..	11	1	1	7	11. 1816.	7	
,, ,, may issue instructions to the superintendent of Cuttack, ...	.	.	.	8	..	8	
,, ,, in appeals from the superintendent of Cuttack to require all proceedings, ..	11	1	2	4	..	14	1
,, ,, may return suits for re-trial to the superintendent of Cuttack, ...	.	.	.	7	..	16	
,, ,, to try appeals from Cuttack, on the special rules, ...	.	.	.	8	..	17, 18	
,, ,, to report to Government, the execution of decrees in Cuttack, ...	11	1	3	4	..	19	4
,, ,, to superintend charges against judicial officers, ...	11	4	1	1	10. 1813.	5	1
,, ,, may require security to conduct such charges, ...	11	4	2	2	..	4	2
,, ,, to enforce the penalty for false charges, ...	11	4	11	2	8. 1825.	5	2
,, ,, to settle doubts as to the jurisdiction of the special Commission, ..	11	5	4	8	1. 1821.	8	
,, ,, to authorize the division of the P. C. of Dacca, ...	12	2	10	3	4. 1802.	4	
SUITS, admission of, according to jurisdiction, ...	1	3	1	2	3. 1793.	8	
					2. 1803.	5	
,, admission of, by persons not amenable, under what rules, ...	1	3	3	6	28. 1793.	7	
					18. 1803.	7	
,, civil, generally cognizable by courts as to matter, ...	1	4	0	1	3. 1793.	8	
					2. 1803.	5	
,, against the collection of tolls, admissable, ...	.	.	.	3	8. 1824.	14	
,, against the registry of estates, admissable, ...	.	.	.	4	48. 1793.	30	
					19. 1795.	28	
					42. 1803.	44	
,, for damages against the officers of customs, admissable, ...	.	.	.	6	9. 1810.	38	
,, as also, against officers collecting town duties, ...	.	.	.	7	10. 1810.	24	
,, by *putwaries*, against collectors, not admissable, ...	.	.	.	8	12. 1817.	34	
,, not exceeding 5,000 Rs. admissable in Z. or C. C.	1	6	1	1	24. 1814.	6	1
					25. 1814.	3	1
,, not exceeding 10,000 Rs. option for instituting, ...	.	.	.	2	19. 1817.	2	2
,, not exceeding 10,000 Rs. transferable to P. C.	.	.	.	..	..	3	2
,, exceeding 1,000 Rs. may be transferred to P. C. by S. D. A.	.	.	.	5	25. 1814.	3	1
,, against resumption of lands, in what courts cognizable, ...	1	6	1	3			
	4	5	1	1	2. 1819.	25	
,, not exceeding 500 Rs. referable to registers, ...	1	9	1	1			
	8	1	3	1	24. 1814.	8	1
,, exceeding 500 Rs when referable to registers, ...	1	9	1	2			
	8	1	4	4	..	9	6
,, reference of, to additional registers, ...	1	9	1	7	..	12	9
,, not exceeding 150 Rs. referable to *sudder aumeens*, ...	1	9	2	1	24. 1814.	7	2
	9	4	1	1	23. 1814.	68	
,, not exceeding 500 Rs. referable to *sudder aumeens*, ...	1	9	2	2			
	9	4	1	2	2. 1821.	5	
,, of paupers referable to *sudder aumeens*, ...	1	9	2	4			
	9	4	5	1	13. 1824.	4	2
,, not referable to *sudder aumeens*, ...	1	9	2	5			
	9	4	4	1	23. 1814.	68	
,, in appeal from collectors, not referable to *sudder aumeens* or registers, ..	1	9	3	2	7. 1822.	31	2
,, referred to inferior courts may always be recalled, ...	.	.	.	1	24. 1814.	10	
					23. 1814.	47	
,, concerning *lakhiraj* lands to be referred to collectors, ...	1	9	4	4			
	11	9	1	1	2. 1819.	30	1
,, rules for the admission of, ...	2	1	1	1	3. 1793.	12	
					2. 1803.	9	
,, not to be admitted, if decided in other courts, ...	.	.	.	2	..	16	
					..	10	
,, if rejected by Z. or C. C. may be referred for trial by P. C. A.	.	.	.	3	5. 1793.	7	
					4. 1803.	7	
,, similar power of the S. D. A.	.	.	.	4	6. 1793.	4	
					5. 1803	4	1
,, cognizable according to date of action, rules for the several provinces, ...	2	1	2	—	See Anal.		1
,, not admissable after 12 years, (with provisions,)	.	.	.	12	3. 1793.	14	
					2. 1803.	18	
,, for immovable property, cognizable after 12 years, ...	.	.	.	14	2. 1805.	3	1
,, not cognizable after 60 years, ...	.	.	.	19	..	..	3
,, on the part of Government, cognizable within 60 years, ...	.	.	.	13	..	2	2
,, for mortgages, cognizable at any time, ...	.	.	.	18	..	3	4
,, for fines and penalties, cognizable within one year, ...	.	.	.	20	..	6	
,, for damages, cognizable within one year, ...	.	.	.	21	..	7	
,, against the resumption of lands, cognizable within one year, ...	.	.	.	22	2. 1819.	24	1, 2
to be tried according to the file, ...	2	2	11	1	4. 1793.	19	
					3. 1803.	20	

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
SUITS in which attachment has taken place to be tried before others,	2	2	11	2	2. 1806.	6	
„ regular to be encouraged instead of summary,	5	1	2	5	2. 1821.	4	
„ against (commercial) officers of Government,	3	1	1	1	31. 1793. 37. 1803.	16 16	
„ against opium agents and officers,	.	.	.	2	13. 1816.	18	
„ against salt agents and officers, rules for instituting,	.	.	.	3	10. 1819.	13	2
„ against public officers, whom to be heard,	3	1	2	3	8. 1816.	8	
„ against the resumption of *lakhiraj* land, rules for,	4	5	1	—	2. 1819.	24	
„ to annul sales of land for arrears, rules for,	4	6	2	—	11. 1822.	25,26	
„ for damages against irregularity in sales,	.	.	.	5	..	4	
„ regular concerning indigo crops, rules for,	5	5	0	13	6. 1823.	5	3
„ if paupers to be nonsuited on proof of perjury,	3	3	1	9	28. 1814.	5	7
„ by *sepoys* and native officers, rules for instituting,	3	4	1	1	15. 1816.	3	
„ against *sepoys*, &c. rules for instituting,	3	4	2	1	..	4	
„ of *sepoys*, &c. to be tried before others,	3	4	3	4	..	7	1
„ by and against native princes, to be conducted by collectors,	3	5	1	3	4. 1816.	3	
„ to recover penalty for loans to civil servants, rules for,	4	17	3	—	7. 1823.	8	
„ trial of, by additional registers, rules for,	8	2	1	7 10	2. 1821. 3. 1824.	11 2	2 1
„ concerning native law to be referred to law officers,	9	4	4	2	23. 1814.	68	
„ concerning Europeans and Americans, may be referred to *sudder aumeens*,	.	.	.	3	4. 1827.	2	2
„ cognizable by *moonsiffs*,	10	2	1	2 3	23. 1814. 2. 1821.	13 3	1 1
„ not cognizable by *moonsiffs*,	.	.	.	5	2. 1821. 23. 1814.	3 13	2 2
„ dismissed by *moonsiffs* may be remanded for trial,	10	2	9	3	..	27	2
„ may be removed from the files of *moonsiffs*,	.	.	.	5	..	47	
„ to be tried by the superintendent of Cuttack,	11	1	1	2	11. 1816.	2	
„ such to be tried on the general rules,	.	.	.	8	..	8	
„ against acts under authority of the Gov. Gen. in C. in Rungpoor,	11	3	0	6	10. 1822.	8	2
„ against the claims of Government to certain lands,	11	9	3	1	9. 1825.	2	12
„ regular in appeal from decisions of Collectors,	11	10	8	—	..	14,29	14, 6
„ such to be tried as appeals from summary awards,	.	.	.	4	..	23	2
„ such not be referred to registers or *sudder aumeens*,	11	10	8	6	..	31	2
„ rejected by Z. and C. C. may be returned by P. C. A.	12	3	0	1	5. 1793. 4. 1803.	7 7	
„ above 5,000Rs. to be instituted in P. C.	.	.	.	2	13. 1808.	3	1
„ above 1,000Rs. to be tried by P. C. on reference from S. D. A.	.	.	.	4	19. 1817. 25. 1814.	3 3	1 1
„ for *lakhiraj* lands above 500Rs. to be instituted in P. C.	.	.	.	5	2. 1819.	25	
„ for penalties for illegal loans to be instituted in P. C.	.	.	.	8	7. 1823.	8	
„ above 50,000Rs. may be removed from P. C. to S. D. A.	12 13	3 2	0 1	9 1	25. 1814.	5	1
„ uncognizable by Z. and C. C. to be instituted *de novo* in P. C.	12	12	1	4	26. 1814.	7	2
„ may be returned for revision on summary appeals,	12	12	2	6	..	3	9
„ involving important points may be revised, *(see Decisions,)*	1	7	2	3	9. 1819.	3	1
„ *Summary.—See Summary.*							
„ for 1,000Rs. when may be referred to *sudder aumeens*,	1 9	9 4	2 1	3 4	4. 1827.	2	3
„ according to Reg. II. 1819 when to be forwarded to special commissioners,	11	15	3	1, 3	3. 1828.	2	4, 6
„ certain, excepted from the cognizance of the Commissioners,	.	.	4	1	..	4	6
SUMMARY process for arrears of rent,—forms of,	5	1	1	1	7. 1799. 5. 1800. 28. 1803.	15 14 9	1
" do. on defaulters residing in other districts,	.	.	.	5	19. 1817.	15	3
„ limitation of time for instituting,	.	.	.	7	2. 1805.	4	1
„ suits for arrears trial of *ex-parte*,	.	.	.	8	8. 1819.	18	2
„ decisions for arrears, only appealable by a regular suit,	5	1	4	3	7. 1799. 5. 1800. 28. 1803.	18 17 35	
„ suits against land agents, limitation for instituting,	5	2	0	2	2. 1805.	4	2
„ suits against distraint—rules for,	5	3	0	13	5. 1812.	15, 16	
„ suits against dispossession, rules for,	5	4	0	2	19. 1793. 32. 1803.	3 3	
„ such to be referred to arbitration, if possible,	.	.	.	9	6. 1813.	5	3
„ suits when to be referred to magistrates,	.	.	.	10	15. 1824.	4	
„ suits on Indigo engagements,	5	5	0	1	6. 1823.	3	
„ rules for investigating such,	.	.	.	5, 6	..	..	5, 6
„ such referable to registers and collectors,	.	.	.	15	..	6	

	Analysis. Chap.	Sec.	Cl	Rule.	Authority. Reg.	Sec.	Cl
SUMMARY investigation into arrears from *putnee talookdars*, ...	5	12	3	1	8. 1819.	14	2
„ suits, rules for stampt paper in, ...	5	6	0	1	1. 1814.	18	
					26. 1814.	20	2
„ „ to be decided without delay, ...	.	.	.	2	7. 1799.	13	
					20. 1803.	31	
„ „ to be referred to collectors for report, ...	.	.	.	3	5. 1812.	21	
				4	19. 1817.	13	1
„ „ only cognizable in Z. and C. C.	.	.	.	7	13. 1808.	7	
„ „ against native officers of collectors, ...	5	8	0	1	3. 1794.	16	
					33. 1803.	3	
„ enquiry into embezzlement by native officers, ...	5	11	0	1	18. 1817.	7	2
„ process against undertenants in *putnee talooks*, ...	4	9	6	5	8. 1819.	16	
„ suits, trial of, by register, ...	8	1	5	2	2. 1821.	9	
„ „ trial of, by additional registers, ...	8	2	1	4	24. 1814.	12	7
				5	2. 1815.	2	
„ „ reference of, to collectors with precept, ...	11	8	0	1	14. 1824.	2	2
„ „ may be recalled from collectors, ...	1	9	4	6	..	..	3
	11	8	0	2			
„ „ for arrears referable to collectors, ...	1	9	4	1	7. 1799.	15	4
					28. 1803.	22	4
„ „ on indigo engagements, referable to collectors, ...	.	.	.	2	6. 1823.	6	
„ „ under Reg. V. 1812, referable to collectors, ...	.	.	.	3	19. 1817.	13	1, 2
„ „ trial of by collectors, rules for, ...	.	.	.	6	14. 1814.	6	
				7		7	
				8		8	
				9		9	
„ decisions by collectors, appealable by regular suits, ...	11	8	0	10	14. 1824.	10	
„ „ of collectors, not to authorize sale of property, ...	11	9	2	6	7. 1822.	23	3
					9. 1825.	5	9
„ suits when to be tried by collectors originally, ...	11	10	1	7	9. 1825.	3	
					7. 1822.	20	1
„ rules for the trial of such, ...	.	.	.	8	7. 1822.	20	1
„ suits only cognizable by Z. or C. Courts, ...	12	3	0	12	13. 1808.	7	
„ inquiry into embezzlement by officers of S. D. A.	13	8	3	1	18. 1817.	7	2, 4
„ suits against dispossession by collectors, ...	11	10	7	4	7. 1822.	14	4
„ definition of such suits, ...	.	.	.	5	..	..	5
„ suits of all kinds to be referred to collectors, in certain cases, ...	1	9	4	7	7. 1825.	20	2
„ process against weavers, &c. rules for, ...	3	2	4	1	9. 1801.	3	2
					31. 1793.	9	3
					37. 1803.	9	
„ process against *molunghees*, &c. rules for, ...	.	.	.	2	10. 1819.	20	2
„ investigation concerning sales in execution of decrees, ...	2	3	5	5	7. 1825.	5	1
„ investigation into claims to property proclaimed for sale, ...	2	3	6	7, 8	..	3, 4	6
„ investigation concerning awards of private arbitration, ...	2	5	2	2	6. 1813.	3	2
SUMMONS, to defendants in summary suits, on indigo engagements, ...	5	5	0	2	6. 1823.	3	2
„ publication of such, ...	.	.	.	3	..	..	3
„ to witnesses in regular suits, rules for, ...	2	2	8	1	4. 1793.	6	
					3. 1803.	7	
„ to witnesses by *moonsiffs*, what to contain, ...	10	2	10	2	23. 1814.	29	2
„ rules for serving such, ...	.	.	.	4	..	..	4
SUNDERBUNDS, Reg. VII. 1822, extended to, ...	11	10	1	6	9. 1825.	2	3
„ „ suits concerning lands, ...	4	19	0	1	3. 1828.	13	1
SUNNUDS, to be given to *kazies*, ...	6	6	2	5	3. 1793.	4	
					46. 1803.	4	
„ to be given to *vakeels*, ...	7	1	1	5	27. 1814.	4	1
„ to be given to *vakeels* of Government, ...	7	1	2	1	..	37	1
„ to be given to *sudder aumeens*, ...	9	1	0	7	23. 1814.	65	1
„ not to be given to law officers, as *sudder aumeens*, ...	.	.	.	8	..	..	2
„ to be given to *moonsiffs*, ...	10	1	4	1	..	6	4
„ particular for *moonsiffs* of Chittagong, ...	10	2	1	8	..	58	
„ to be given to *vakeels* of *moonsiffs*, ...	10	2	2	2	..	15	2
„ for authority to sell distrained property, ...	10	6	1	1	35. 1795.	8	
					45. 1795.	27	3
					28. 1803.	27	4
SUPERINTENDENT, of the tributary *mohauls* in Cuttack appointed, and powers of, ...	11	1	1	2	11. 1816.	2	
„ „ to be guided by the general rules for suits, ...	.	.	.	8	..	8	
„ „ to forward petitions of appeal to the S. D. A.	11	1	2	3	..	13	
„ „ to obey precepts of the S. D. A. forms, ...	.	.	.	5	..	14	2

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
SUPERINTENDENT, to communicate to parties all orders of the S. D. A.	11	1	2	6	11 1816.	15	
„ of salt *chokies*, judicial powers of, ...	11	12	0	1	10. 1819.	109	
„ of stamps, judicial powers of, ...	11	13	0	1	16. 1824.	17	
„ and remembrancer of legal affairs appointed, ...	11	14	0	1	8. 1816.	2	
„ to be employed in Government suits, ...	.	.	.	2	..	3	
„ to furnish legal opinions when required, ...	.	.	.	3	..	4	
„ may be consulted by the Board of Customs, ...	.	.	.	4	10. 1819.	18	
				5	8. 1816.	6	
„ may instruct Government *vakeels* in conducting suits, ...	.	.	.	6	8. 1816.	6	
„ of the family lands of the Raja of Benares, ...	11	16	0	1	7. 1828.	3	
„ to recognize complaints against the Raja of Benares, ...	.	.	.	4	..	14	
„ to try appeals from native commissioners, ...	.	.	.	8	..	24	
„ and remembrancer, to conduct suits for recovering penalties for illegal loans to civil servants, ...	11	14	0	7	7. 1823.	8	
SUPREME COURT, officers of Government may be prosecuted in, ...	11	4	9	1	17. 1813.	15	
SURETIES of Government farmers resisting process of collectors, ...	1	5	4	4	14. 1793.	21	
					6. 1795.	28	
					27. 1803.	28	
„ for attendance of defendants may be prosecuted as principals, ...	2	2	3	5	4. 1793.	12	
					3. 1803.	14	
„ for executing decrees forbidden to transfer property, ...	2	2	4	4	26. 1814.	13	2
	2	4	2	9			
„ unless they discharge the amount of security, ...	.	.	.	.	..	..	3
„ of native officers amenable for embezzlement, ...	5	8	0	4	3. 1794.	17	
					33. 1803.	4	
„ may be arrested for arrears as well as defaulters, ...	5	1	1	1	7. 1799.	15	1
					5. 1800.	14	1
					28. 1803.	32	1
„ power of, to sue against distraint, ...	5	3	0	1	5. 1812.	16	
	10	6	8	4			
„ of Government defaulters, rules for arresting, ...	5	7	0	2	14. 1793.	5	
					6. 1795.	11	
					27. 1803.	11	
„ of paupers liable to costs, &c. on paupers absconding, ...	3	3	1	20	28. 1814.	11	3
„ of defaulters absconding, liable to distraint, ...	10	6	4	1	17. 1793.	3	
					45. 1795.	5	
					28. 1803.	5	
„ being *inur furzee* tenants, liable to distraint, ...	.	.	.	2	..	27	
					..	25	
					..	25	
SURPLUS arising from sales of distrained property to be returned to defaulters, ...	10	6	9	1	17. 1793.	22	
					45. 1795.	20	
					28. 1803.	21	1
„ on sales of *putnee* tenures for arrears to go to the tenant, ...	5	1	1	9	8. 1819.	3	3
T.							
TEEPS to be insufficient proofs of payment on conditional sales, ...	4	4	0	3	1. 1798.	4	
					34. 1803.	14	
TEHSEELDARS to be sellers of distrained property *ex officia*, ...	10	6	1	2	7. 1799.	7	
					28. 1803.	20	3, 4
„ may be appointed arbitrators, ...	11	10	6	3	7. 1822.	33	3
TENANTS. *See Ryots.*							
TENURES in perpetuity to be sold for arrears, ...	5	1	2	4	8. 1819.	3	3
„ may be attached, defaulters being confined for arrears, ...	5	1	3	1	7. 1799.	15	6
					5. 1800.	14	6
					28. 1803.	32	6
„ of *khoodcast ryots* not to be cancelled without permission of court, ...	.	.	.	6	8. 1819.	18	5
THANADARS to attend the search of *zenanas* by distrainers, ...	10	6	6	2	7. 1799.	10	
					28. 1803.	19	2
„ to observe what passes on such occasions, ...	.	.	.	3	..	11	
					..	19	3
TOLLS, suits concerning, admissable in courts, ...	1	4	0	3	8. 1824.	14	
TRANSFERS, what to be annulled by the special commission, ...	11	5	1	7	1. 1821.	3	3
„ of property bound by security forbidden, ...	2	2	4	4	26. 1814.	13	2
	2	4	2	9			
TRANSLATIONS, not to be furnished by P. C. till required by S. D. A.	12	13	5	1	2. 1801.	2	
					5. 1803.	29	
„ required by S. D. A. preparation of, ...	13	5	6	3	2. 1801.	17	
„ of proceedings of S. D. A. to be sent to Gov. Gen. in C. in appeals to the King in Council, ..	13	6	0	5	16. 1797.	5	

	Analysis. Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
TREASURE hidden, persons finding to give notice to court,	5	15	0	1	5. 1817.	3	
„ to be awarded to the finder if not above one Lac,	.	.	.	3	..	6	
„ all above one Lac to be adjudged to Government,	.	.	.	4	..	7	
„ to be forfeited by a neglect of these rules,	.	.	.	6	..	9	
TREASURERS of courts to sign solemn declarations on taking office,	6	1	5	3	18. 1817.	3	
„ to give receipts for deposits of fees,	7	6	1	2	27. 1814.	23	2
„ to take charge of money, or obligations given as securities,	2	2	4	5	2. 1806.	8	
TRIAL of suits, no persons to interfere in,	2	2	1	1	4. 1793. / 3. 1803.	2 / 2	
„ of ditto, on the oaths of parties,	2	2	8	1	..	6, 7	
„ order of, to be according to the file,	2	2	11	1	..	19, 20	
„ before *moonsiffs* to proceed, if pleadings are not filed,	10	2	8	6	23. 1814.	25	5
„ order of, before *moonsiffs*,	10	2	9	1	..	26	
„ rules for, before *moonsiffs*,	.	.	.	4	..	28	
„ *ex-parte* before *moonsiffs*,	10	2	6	—	..	21	
„ of suits before the commissioner of Rungpore,	11	3	0	5	10. 1822.	7	
TRIAL of summary suits by collectors,	11	8	—	—	14. 1824.	..	
„ of claims to *lakhiraj* lands by collectors,	11	9	—	—	2. 1819.	30	
„ of suits generally by P. C.	12	5	4	—	5. 1793. / 4. 1803.	11 / 11	
„ of original suits and appeals by S. D. A.	13	2	1	1	25. 1814.	5	1
„ of special appeals by S. D. A.	13	7	2	1	..	..	4
„ of cases by special revenue commission,	11	15	7	1	3. 1828.	6	1
TUCCAVY advances recoverable as arrears of revenue,	5	10	—	—	14. 1793. / 6. 1795. / 27. 1803.	40 / 46 / 45	
TULUBANEH, table of rates for, to be prepared,	6	1	7	5	26. 1814.	14	4
„ such table to be stuck up in the Court-room,	.	.	.	6	..	..	5
„ amount of, to be endorsed on processes,	6	1	8	1	..	..	6
„ payment of, for several processes,	.	.	.	2	..	..	7
„ shares of, by the *peons* and *nazir*,	.	.	.	3	..	..	8
„ exactions on the plea of, to be prevented,	.	.	.	4	..	..	9

U.

UMPIRE, appointment of, and rules for, in matters referred to arbitration,	2	5	1	6	16. 1793. / 21. 1803.	5 / 5	
USUFRUCT during mortgages to be taken in lieu of interest,	4	3	0	1	15. 1793. / 34. 1803.	10 / 9	

V.

VAKALUTNAMEHS to be filed without *durkhasts*,	2	2	7	7	26. 1814.	24	
„ forms and execution of,	7	4	1	2	27. 1814.	21	1
„ stampt paper required for,	.	.	.	3	..	..	2
„ rules for, on changing *vakeels*,	7	4	2	2,3	..	13, 18	1
„ are sufficient for appointing *vakeels*,	7	4	3	2	..	30	2
„ in summary suits before collectors, stamp duty for,	11	8	0	8	14. 1824.	8	
„ in suits before collectors under Reg. VII. 1822,	11	10	3	5	7. 1822.	27	
„ in appeals from collectors to the Board of Revenue,	11	10	5	3	..	29	3
VAKEELS, appointment of, in P. C. and S. D. A.	7	1	1	1	27. 1814.	3	1
„ appointment of, in Z. and C. C.	.	.	.	2	..	..	2
„ persons eligible as,	.	.	.	3	..	..	3
„ presenting certificates of examination to be preferred,	.	.	.	4	11. 1826.	6	
„ to receive *sunnuds* of appointment,	.	.	.	5	27. 1814.	4	1
„ vacating situations to return *sunnuds*,	.	.	.	6	..	..	2
„ oaths prescribed for, on receiving *sunnuds*,	.	.	.	7	..	5	
„ to be distributed at the discretion of judges,	.	.	.	8	..	16	
„ of Government, appointment of,	7	1	2	1	..	37	1
„ „ vacancy of, to be reported to Governm ent,	.	.	.	2	8. 1816.	7	2
„ „ what suits to be conducted by,	.	.	.	4	27. 1814	37	3
„ „ not to assist parties opposed to Government,	.	.	.	5	..	..	4
„ „ to receive the same fees as others,	.	.	.	6	..	..	5
„ „ to be subject to the general rules for *vakeels*,	.	.	.	7	..	..	6
„ „ to conduct criminal prosecutions, rules,	.	.	.	9	..	17	
„ „ to plead for invalids gratis,	7 / 3	1 / 7	2 / 0	10 / 2	1. 1804.	14	
„ others may be associated with *vakeels* of government, in cases,	.	.	.	8	27. 1814.	37	7

	Analysis.				Authority.		
	Chap.	Sec.	Cl.	Rule.	Reg.	Sec	Cl.
VAKEELS, liable to dismissal for misconduct,	7	2	1	1	27. 1814.	6	
„ ditto for taking less than the prescribed fees,	.	.	.	2	..	7	
„ ditto for filing *vakalutnamehs* under fictitious names,	.	.	.	3	..	8	
„ ditto for giving opinions to encourage litigation,	7	2	1	4	..	20	6
	7	5	0	6			
„ ditto for preparing papers without proper stamp,	7	2	1	5	16. 1821.	7	2
„ ditto for filing documents not properly stampt,	.	.	.	6	..	..	1
„ ditto to civil actions by their clients,	7	2	2	1	27. 1814.	12	1
„ absenting themselves without notice, penalty,	.	.	.	2	..	14	1
„ guilty of disrespect, penalty,	.	.	.	3	..	..	2
„ fined by *sudder ameens*, to be reported,	.	.	.	4	..	15	1
„ fines imposed on when conclusive,	.	.	.	5	..	..	2
„ guilty of irregularity in pleading, penalty,	.	.	.	6	..	9	3
„ filing pleadings not properly stampt, penalty,	.	.	.	7	26. 1814.	6	4, 5
„ may be removed by P. C. and S. D. A for any misconduct,	.	.	3	1	..	10	1
„ of Z. and C. C. to be finally removed by P. C. A,	.	.	.	2	..	..	2
„ may be suspended by Judges, pending report,	.	.	.	3	..	11	
„ duties of, with regard to pleadings,	7	3	0	1	..	9	1
„ to inspect the documents they file,	.	.	.	2	..	..	2
„ not to plead in criminal cases without permission,	.	.	.	3	..	17	
„ may act as arbitrators,	.	.	.	4	..	19	
„ to give receipts for documents, to client's,	.	.	.	5	27. 1814.	36	
„ to endorse petitions of special appeal,	.	.	.	6	26. 1814.	2	3
„ may inspect and extract from the regulations,	.	.	.	7	27. 1814.	48	
„ to take copies of regulations,	.	.	.	8	11. 1806.	12	
„ prohibited from engaging with both parties,	7	4	1	4	27. 1814.	22	
„ change of, in suits,	7	4	2	1	..	12	2
„ being absent, rule for changing,	.	.	.	2	..	13	
„ being removed or dying, appointment of new ones to conduct cases,	.	.	.	3	..	18	1
„ in P. C. and S. D. A. rules for changing and appointing, in cases,	.	.	.	5	..	..	3
„ change of, from indisposition,	.	.	.	6	..	..	4
„ fees to former, after such changes,	.	.	.	7	..	..	5
„ two or more may be employed, rule for fees,	7	4	3	1	..	30	1
„ to receive fees for written opinions,	7	5	0	1	..	20	1
„ legal opinions of, rules for giving,	.	.	.	2, 3	..	..	2, 3
„ rates of fees, authorized for such opinions,	.	.	.	4	..	..	4
„ not to receive such fees, if engaged in suits,	.	.	.	5	..	..	5
„ not obliged to attend summary investigations, in the *mofussil*,	5	6	0	6	2. 1821.	10	3
	7	3	0	9			
„ to give receipts for fees, on stampt paper,	7	6	7	1	27. 1814.	25	3
„ to give one receipt, if fees do not exceed 16 Rs.	.	.	.	2	19. 1817.	10	2
„ in courts of *sudder ameens*, subject to these rules,	7	7	0	2	23. 1814.	72	
„ number of, to be attached to courts of *sudder ameens*,	9	5	5	—	..	..	
„ to be appointed to *moonsiffs'* courts, when necessary,	10	2	2	2	..	15	2
„ of *moonsiffs*, when to be discharged,	.	.	.	3	..	..	3
„ appointment of, for paupers,	3	3	1	12	28. 1814.	7	1
„ of paupers, may plead without *vakalutnameh*,	7	4	4	1			
„ appointment of, for *sepoys*,	3	3	1	13	..	..	2
„ of the Cuttack court, to attend the superintendent,	3	4	3	2, 3	15. 1816.	5, 6	2
„ not necessary in the court of the commissioner, for Cuttack,	11	1	1	5	11. 1816.	5	
„ of *moonsiffs*, when liable to dismissal,	11	2	0	4	5. 1818.	5	2
„ of *moonsiffs*, to make their own agreements for fees,	10	2	2	3	..	15	3
„ may be appointed in summary suits before collectors,	.	.	.	4	..	..	4
„ may interrogate witnesses,	11	8	0	6	14. 1824.	6	
	12	5	3	4	26. 1814.	11	

W.

WARDS, miscellaneous cases concerning,	5	13	—	—	10. 1793.	5	
					52. 1803.	9	Anal.
WEAVERS, forms for instituting suits against,	3	2	1	1	31. 1793.	10	1
					37. 1803.	10	1
„ forms for summoning as witnesses,	3	2	2	1	..	.	9
					..	..	9
„ to be made to attend when necessary,	.		.	3	..	..	10
					..	..	10
„ to satisfy claims of Government, before others,	3	2	3	1	..	12	
					..	12	

	Analysis Chap.	Sec.	Cl.	Rule.	Authority. Reg.	Sec.	Cl.
Weavers, persons of attachable (with restrictions,)	3	2	3	2	9. 1801.	3	
„ rules for issuing summary process against, ...	3	2	4	1	31. 1793. 37. 1803. 9. 1801.	9 9 3	2
„ rules for instituting suits by, for compulsion, ...	3	2	6	1	3. 1793. 37. 1803.	10 10	11 11
„ rules for distraining property of, for arrears, ...	10	6	8	7	17. 1793. 7. 1799.	31 4	
Witnesses, mode and forms of summoning, ...	2	2	8	1	4. 1793. 3. 1803.	6 7	
„ guilty of perjury, penalty and forms, ...	.	.	.	2	.. ..	14 8	
„ required by P. C. to be examined by Z. and C. Judges, ...	1	11	0	4	13. 1808. 24. 1814.	9 11	
„ such to be examined in person, ...	.	.	.	—	19. 1817.	11	
„ weavers summoned are not to be detained, ...	3	2	2	1	31. 1793. 37. 1803.	10 10	9 9
„ similar rule for *molunghees, &c.*	.	.	.	2	10. 1819.	21, 27	8
„ refusing to take oath before other authorities than courts, ...	1	12	0	3	8. 1809.	10	5
„ rules concerning, before *sudder ameens*, ...	9	5	6	1	See Anls.		
„ guilty of perjury before *sudder ameens*, ...	.	.	.	2	17. 1817.	14	2
„ rules for summoning, by *moonsiffs*, ...	10	2	10	1	23. 1814.	31	1
„ if such be employed in the Government investment, ...	.	.	.	5	..	30	
„ ditto, in the salt department, ...	.	.	.	6	10. 1819.	21	8
„ not attending to summons of *moonsiffs*, ...	.	.	.	7, 8	23. 1814.	31	1, 2
„ rules of, in another jurisdiction, ...	.	.	.	10	..	32	1
„ at a distance to be examined by written interrogatories, ...	.	.	.	11	..	..	2
„ not to be confined or detained by *moonsiffs*, ...	.	.	.	12	..	33	
„ may be examined without oath, by *moonsiffs*, ...	.	.	.	14	..	35	
„ rules for examining by *moonsiffs*, ...	.	.	.	15	..	36	
„ guilty of perjury before *moonsiffs*, ...	.	.	.	17	17. 1817.	14	2
„ form for depositions of, before *moonsiffs*, ...	.	.	.	16	23. 1814.	37	
„ may be summoned by Collectors in summary suits, ...	11	8	0	4	14. 1824.	4	
„ in suits for *lakhiraj* lands before collectors, ...	11	9	1	9	2. 1819.	19	1
„ may be awarded expenses by Collectors, ...	.	.	.	14	9, 1825.	5	10
„ not attending on summons of P. C., rules, ...	12	5	3	1	5. 1793. 4. 1803.	20 20	
„ examination of, by P. C.	.	.	.	2	..	19 19	
„ examination of, if at a distance, ...	.	.	.	3	13. 1808.	9	
„ interrogatories may be prepared for, by P. C.	.	.	.	4	26. 1814.	11	
„ examination of, by S. D. A. in appeals, ...	13	5	2	1 2 3	6. 1793. 3. 1803. 26. 1814. 19. 1819.	16 16 11 11	
„ guilty of perjury before S. D. A.	.	.	.	4	6. 1793. 5. 1803.	18 18	

Z.

Zenanas, not to be searched by distrainers, ...	10	6	6	1	17. 1793. 45. 1795. 28. 1803.	21 19 19	1
„ may be searched before the police, ...	.	.	.	2	7. 1799. 28. 1803.	10 19	2
Zillah and City Courts, established in Bengal, Behar, and Orissa, ...	1	1	1	1	3. 1793.	2	
„ „ in the province of Benares, ...	1	1	2	1	7. 1795.	2	
„ „ in the ceded provinces of Oude, ...	1	1	3	1	3. 1803.	2	
„ „ in the Doab and Bundlekund, ...	1	1	4	1	8. 1805.	5	
„ „ to be superintended each by one judge, ...	1	2	1	1	3. 1793. 7. 1795. 2. 1803.	3 3 13	
„ „ place for sittings of, ...	.	.	.	2	.. .. ..	5 5 14	
„ „ sittings of, for miscellaneous business, ...	.	.	.	3	3. 1794. 3. 1798.	22 2	
„ „ to be adjourned for holidays, ...	1	2	3	1	8. 1805. 1. 1806.	13 10	See An.

			Analysis.				Authority.		
			Chap.	Sec.	Cl.	Rule.	Reg.	Sec.	Cl.
Zillah and city courts,		local jurisdiction of, ...	1	3	1	1	3. 1793. 3. 1803.	4 3	
"	"	cognizance of civil suits by, ...	1	4	—	—	See Anal		
"	"	cognizance of criminal cases by, ...	1	5	—	—	Ditto.		
"	"	cognizance of suits as to amount by, ...	1	6	1	—	Ditto.		
"	"	cognizance of regular appeals by, ...	1	7	1	1	24. 1814.	6	2
"	"	cognizance of special appeals by, ...	1	7	2	1	..	..	3
"	"	cognizance of summary appeals by, ...	1	7	3	1	26. 1814.	3	4
"	"	may admit appeals from Collectors in certain cases, ...	1	7	4	1	2. 1819.	30	7
"	"	to execute and return processes of P. C., ...	1	11	0	1	5. 1793. 4. 1803.	16 16	
"	"	as also to orders of S. D. A.							
"	"	may authorize landholders to cancel leases of tenants in arrears, ...	5	1	3	5	8. 1819.	18	5
"	"	to reinstate persons dispossessed by force from lands, ...	5	4	0	3	49. 1793. 32. 1803.	3 3	
"	"	to require parties to prove possession on receiving notice of disputes, ..	.	.	.	7	6. 1813.	5	1
"	"	to give possession according to certain rules, in disputes for inheritance, ..	4	10	0	3,4 5	5. 1799. 3. 1803.	4 16	4
"	"	to assist the special commission, in executing orders, ...	11	5	4	7	1. 1821.	7	
		See Courts.							